


MEMORANDUM

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

DATE: October 16, 2014

TO: Board of Adjustment

FROM: Eric Feldt, Planner 
Community Development Department

FILE NO.: VAR2014 0022

PROPOSAL: A variance to reduce one side yard setback from 10' to 0' and another side yard setback from 10' to 5' for a new office building.

GENERAL INFORMATION

Applicant: MRV Architects

Property Owner: Ed Page

Property Address: 1050 Harbor Way

Legal Description: Lot 4 Block 51 Tidelands Addition

Parcel Code Number: 1-C06-0-K51-002-0

Site Size: 4,617 Square Feet

Comprehensive Plan Future
Land Use Designation: Marine Commercial (MC)

Zoning: Waterfront Commercial (WC)

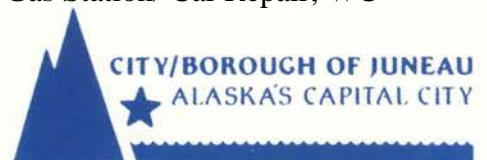
Utilities: Public Water & Sewer

Access: Harbor Way

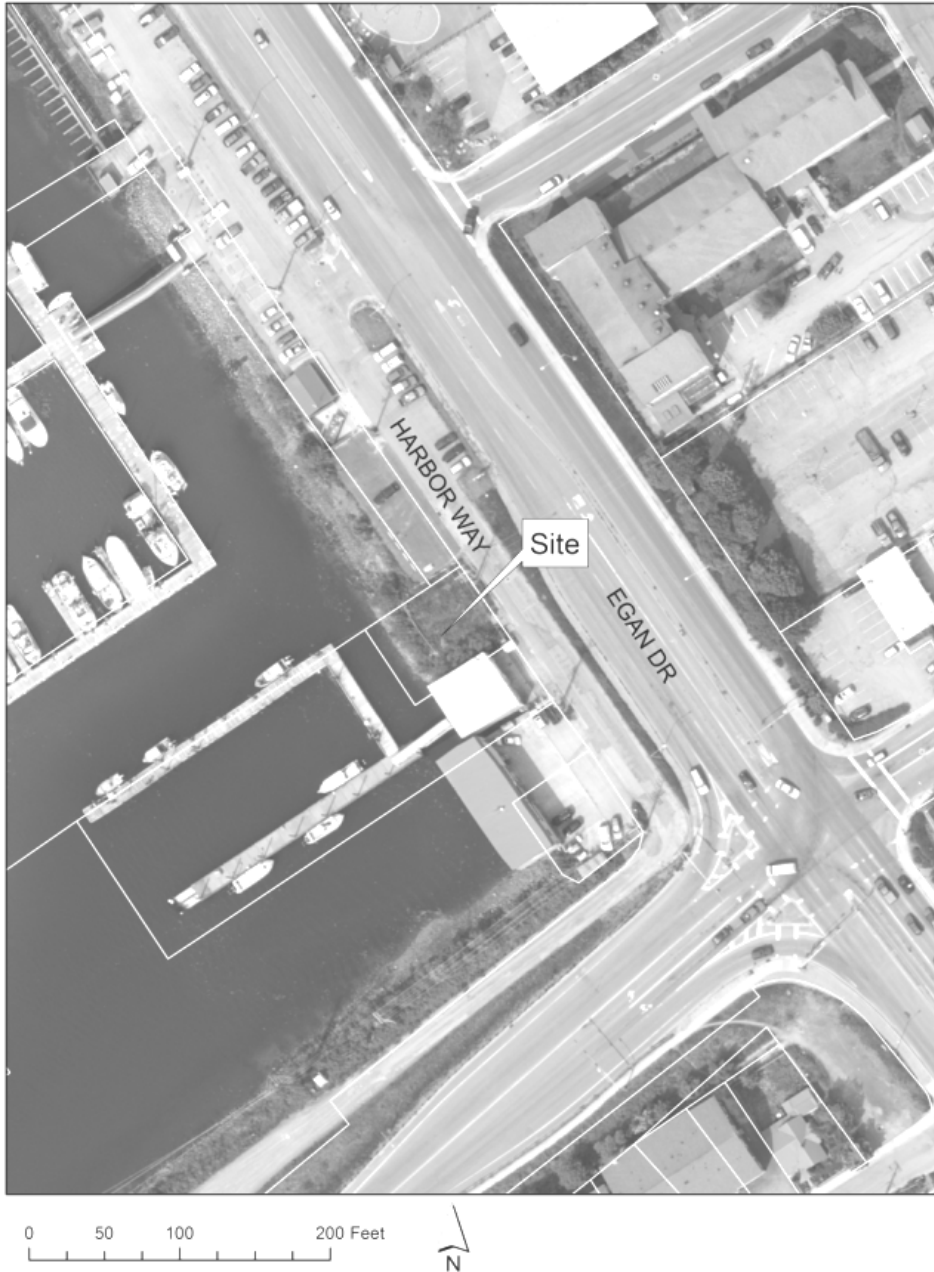
Existing Land Use: Vacant

Surrounding Land Use:

North	- CBJ Harris Harbor
South	- US Forest Service; WC
East	- Egan Drive; Tesoro Gas Station/ Car Repair; WC
West	- Gastineau Channel



VICINITY MAP



ATTACHMENTS

Attachment	A	Site Plan
Attachment	B	Building Plans
Attachment	C	Applicant's Narrative

PROJECT DESCRIPTION

The Marine Exchange of Alaska (MXAK) seeks to construct a new 3-story office building on a vacant lot next to the Juneau-Douglas Bridge near Harris Harbor in downtown Juneau. The building consists of a parking garage, two floors of office space above, and a small parking lot. A site plan and drawings of the project are provided under Attachments A & B.

The applicant has filed two variances for this project. The subject report addresses VAR2014 0022, which is needed to allow the building to encroach into both 10-foot side yard setbacks. The other variance is listed below:

- VAR2014 0024: A variance to increase the maximum height from 35' to 47' for a rooftop elevator/ stairwell enclosure of a new office building.

BACKGROUND

According to the Marine Exchange of Alaska's website (<http://www.mxak.org/>), the organization (MXAK) provides critical communications and information for marine vessels along the entire state's coastline during times of emergency navigation and response through utilizing satellite technology and base station remote telecommunications. While the proposed building will contain office and meeting room space, the nearby US Forest Service dock will be used for MXAK's boats.

The lot is located in the Waterfront Commercial (WC) zoning district, which only allows land uses that are water-dependent, -related, or -oriented to the water or waterfront. Since the MXAK staff will use the nearby dock for their operations, it meets the WC qualification. The lot has access to City water and sewer, and direct access to the Gastineau Channel. Vehicle access to the site is from Harbor Way. This road also provides access to Harris Harbor and runs parallel with Egan Drive. See Figure 1.

The neighboring sites contain a mixture of uses. North of the site is the CBJ Harris Harbor parking lot; south of the site is a 2-story US Forest Service building and another 2-story building further down Harbor Way, both buildings are very close to their property lines; to the east is Egan Drive; and to the west is the Gastineau Channel. See Figure 2.

The site contains 4,617 square feet (10.5% of an acre). The lot is flat with a grassy lawn and small

bushes and trees along the back, where the land drops steeply towards the tidelands. The lot has remained vacant for several years despite the approval of many projects such as a restaurant and duplex. Some variances were obtained for those projects due to the size of those buildings.



Figure 1: The vacant site is bordered by the CBJ Harris Harbor (right of picture) and a US Forest Service building (left of picture). Photograph taken by staff on 10/7/2014.

The purpose of yard setback are to 1) ensure movement of light and air between buildings, 2) provide space to manage water run-off and snow storage, and 3) reduce the spreading of fires to adjacent buildings.

ANALYSIS

The building's ground floor will be 2 inches away from both side property lines instead of the required 10-foot setback distance. The second and third floors will be set back five feet from the same property lines. Attachment B shows this difference. This results in the southern wall being located approximately five feet away (or less) from the adjacent US Forest Service building. Due to the diminished setback distance, the intent of the side yard setback will be reduced along this side of the property. Movement of light and air along the ground floor will be little to none. Along the 2nd

and 3rd floors, light and air movement will improve slightly. Fire retardant material will be installed along this wall of the building, as required by CBJ building codes during the Building permitting process. This will lessen fires from spreading to the US Forest Service building, and vice versa. Water run-off will be captured through a drainage system at the parking lot and the roof of the building. With flat roof design, snow will not shed toward the adjacent building or property.

At the northern property line (opposite side), the building will be set back the same distance: 2 inches along the ground floor and 5 feet along the 2nd and 3rd stories. The property to the north is Harris Harbor, managed by CBJ Docks & Harbors. There is a parking lot and small vegetation near the shared property line. As stated above, water run-off and snow melt will be managed through the parking lot and roof drainage systems. Since there are no buildings next to the harbor parking lot, the proposed building's northern wall will be open to movement of light and air. However, this will occur along the harbor property, not the subject one. Therefore, the subject building is relying on the harbor's open space to meet the subject property's side yard setback.



Figure 2: Waterside picture of site showing the CBJ Harris Harbor parking lot to the left of the site, and the 2-story US Forest Service building and the nearby Juneau Electronics store to the right of the site. Photograph taken by staff on 10/7/2014.

DECISIONS

Option 1: Approve

If the Variance is approved, the applicant will file a Building permit. During the review of the permit the CBJ Building Department will require fire retardant material be installed along the southeastern wall because of the close distance to the property line. Further, the applicant would need to ensure roof top and surface run-off is adequately managed within the site. Staff supports a condition

addressing that issue. See Condition 1 under Recommendation.

Option 2: Deny

If the Variance is denied, the design of the building must be set back at least 10 feet away from both side lot lines. This would reduce the building's width from 60 feet to 40 feet. The building could be re-designed closer toward Harbor Way. More parking spaces will be covered in this scenario. Staff presented this scenario to the applicant. They stated that it will become too costly and result in parking layout issues. A Building permit will need to be filed for this option. The applicant does not prefer this option as it wouldn't meet the MXAK's building spatial needs, increase building costs, and compound parking issues.

Option 3: Approve Lesser Encroachment

If the Variance was approved but for a lesser encroachment, the building would still need to be re-designed, drainage and snow storage would need to be adequately managed, fire retardant material may still be necessary, and a Building permit would be required. The movement of light and air would be improved from Option 1 but more of the building's horizontal space would be encroaching into both setbacks. The applicant finds this option less preferred due to the building spatial needs of MXAK.

The applicant's reasons for approving the side yard setback encroachments are as follows:

- 1) There is no evidence leading to injuring nearby property.
- 2) The building to the southeast is set back 5 feet (or less), not 10.
- 3) The building to the southeast is mainly used during the summer and the property to the north is parking area for the harbor.
- 4) CBJ Docks & Harbors does not object to the proposal.
- 5) The building is intended to showcase quality design with positive visual and functional elements on the waterfront.
- 6) Little, to no, negatives.

PUBLIC COMMENT

As of the date of this report, staff has not received any comments from the public about this variance.

Variance Requirements

Under CBJ §49.20.250 where hardship and practical difficulties result from an extraordinary situation or unique physical feature affecting only a specific parcel of property or structures lawfully existing thereon and render it difficult to carry out the provisions of Title 49, the Board of Adjustment may grant a Variance in harmony with the general purpose and intent of Title 49. A Variance may vary any requirement or regulation of Title 49 concerning dimensional and other design standards, but not those concerning the use of land or structures, housing density, lot coverage, or those establishing construction standards. A Variance may be granted after the prescribed hearing and after the Board of Adjustment has determined:

1. ***That the relaxation applied for or a lesser relaxation specified by the Board of Adjustment would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.***

This criterion is met for the following reasons. Relaxing both side yard setback distances will give substantial relief to the owner by allowing them to fulfill their building spatial needs and operations of the site. The proposed setback encroachment is similar to the neighboring US Forest Service building, and therefore, is consistent with justice to other property owners. Staff notes that the US Forest Service is part of the Federal government and does not have to comply with local zoning regulations.

2. ***That relief can be granted in such a fashion that the intent of this title will be observed and the public safety and welfare be preserved.***

This criterion is not met. Although the applicant will be able to manage water run-off and snow melt and construct the building to lessen fire hazards toward adjacent property, the project does not preserve the movement of light and air. Although the northern wall will be open to light and air movement, it is solely dependent for that circulation upon the open space on the adjacent lot (CBJ Harris Harbor). The public safety and welfare will not be negatively affected by this variance.

3. ***That the authorization of the Variance will not injure nearby property.***

This criterion is met for the following reasons. With the CBJ requirement of installing fire retardant material along the southeast building wall, the approval of this variance will not injure nearby property.

4. ***That the Variance does not authorize uses not allowed in the district involved.***

This criterion is met for the following reasons. The proposed facility uses remote telecommunication sites to aid in marine navigation, tests navigational equipment on the site, and uses the nearby US Forest Service dock for boat access. Therefore, this use is water-related and is consistent with allowed uses of the Waterfront Commercial district.

5. ***That compliance with the existing standards would:***

- (A) ***Unreasonably prevent the owner from using the property for a permissible principal use;***

This criterion is not met. The applicant indicates that the proposed building space and design meets the owner's needs, anything less or different will not achieve their need.

Denying the Variance will result in a smaller or different space layout of the proposed office building. This will not unreasonably prevent the owner from using the property as an office building associated with water/ marine use.

- (B) *Unreasonably prevent the owner from using the property in a manner which is consistent as to scale, amenities, appearance or features, with existing development in the neighborhood of the subject property;***

This criterion is met because the proposed facility will encroach into both side yard setbacks which is similar in feature to the adjacent US Forest Service building and other buildings in the neighborhood.

- (C) *Be unnecessarily burdensome because unique physical features of the property render compliance with the standards unreasonably expensive;***

This criterion is not met. The lot is flat and has a steep drop-off towards the tidelands. The building's width and minimum parking dimensions of the parking garage space have resulted in the encroachment into both side yard setbacks.

or

- (D) *Because of preexisting nonconforming conditions on the subject parcel the grant of the Variance would not result in a net decrease in overall compliance with the Land Use Code, CBJ Title 49, or the building code, CBJ Title 19, or both.***

This criterion is not met because there are no non-conforming conditions on the site.

Criterion 5 is not met because 5(a) is not met.

- 6. *That a grant of the Variance would result in more benefits than detriments to the neighborhood.***

This criterion is not met. The applicant indicates that the reduction in both side yard setbacks will allow the project to move forward and will result in an improvement to the area. Staff finds that developing a site isn't automatic grounds resulting in more benefits than detriments to the neighborhood.

FINDINGS

- 1. *Is the application for the requested Variance complete?***

Yes. Staff finds 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.

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

Yes. The development complies with the JCMP.

3. *Does the variance as requested, meet the criteria of Section 49.20.250, Grounds for Variances?*

No. VAR2014 0022 does not meet criteria 2, 5 and 6.

RECOMMENDATION

Staff recommends that the Board of Adjustment adopt the Director's analysis and findings and deny the requested Variance, VAR2014 0022.

If the Planning Commission makes new findings which meet Criteria 2, 5 and 6, staff recommends the following conditions:

- 1) Prior to issuance of a Building permit, the applicant shall describe in a narrative and show on a site plan how snow and water run-off will be sufficiently managed on the site with the new encroachments allowed under this variance.

VARIANCE APPLICATION

Project Number <u>VAR20140022</u>	Project Name (15 characters)	Case Number	Date Received <u>09/26/14</u>
--------------------------------------	------------------------------	-------------	----------------------------------

TYPE OF VARIANCE REQUESTED:

<input type="checkbox"/> Variance to the Sign Standard (VSG)	<input type="checkbox"/> Variance to Dimensional Standards (VDS)
<input type="checkbox"/> Variance to Habitat Setbacks (VHB)	<input type="checkbox"/> Variance to Parking Requirements (VPK)
<input checked="" type="checkbox"/> Variance to Setback Requirements (VSB)	

DESCRIPTION OF ACTIVITY WHICH REQUIRES A VARIANCE:

Setback reduction to 0' for first level const. and 5' for 2nd and 3rd level const.

Previous Variance Applications? ☒ YES ☐ NO Date of Filing: _____

Previous Case Number(s): VAR 2011 0018

Was the Variance Granted? ☐ YES ☐ NO

UNIQUE CHARACTERISTICS OF LAND OR BUILDING(S): _____

UTILITIES AVAILABLE: WATER: ☒ Public ☐ On Site SEWER: ☒ Public ☐ On Site

WHY WOULD A VARIANCE BE NEEDED FOR THIS PROPERTY REGARDLESS OF THE OWNER?

See previous. Lot dimensions are restrictive.

WHAT HARDSHIP WOULD RESULT IF THE VARIANCE WERE NOT GRANTED?

A reasonable sized project for typical development in the area could not be proposed.

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.	VARIANCE FEES				
		Fees	Check No.	Receipt	Date
	Application Fees	\$ <u>400.00</u>	<u>23427</u>		<u>9/25/2014</u>
	Adjustment	\$ _____			
	Total Fee	\$ <u>400.00</u>	<u>23427</u>	<u>CDD5801</u>	<u>09/26/14</u>

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

DEVELOPMENT PERMIT APPLICATION

(APPLICANT - PLEASE FILL IN THE PROJECT/APPLICANT INFORMATION)

Project Number VAR20140022	CITY and BOROUGH of JUNEAU	Date Received: 09/26/14
Project Name (City Staff to assign name)		

PROJECT / APPLICANT INFORMATION	Project Description New construction of business building in WC zone.			
	PROPERTY LOCATION			
	Street Address 1050 Harbor Way		City / Zip 99801	
	Subdivision (if known)	Survey (if known)	Block / Tract (if known)	Lot (if known)
	Assessor's Parcel Number (if known)			
	LANDOWNER/LESSEE			
	Property Owner's Name Ed Page		Contact by E-Mail: <input type="checkbox"/> edpage@mxak.org	Contact Person Zane
	Mailing Address		Home Phone No.	Work Phone No. 321-2651
			FAX No.	
	LANDOWNER/LESSEE CONSENT (Required for Planning permits not needed on Building/Engineer permits)		INITIAL ALL THAT MAY APPLY	
I am (we are) the owner(s) or Lessee of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application. X Ed Page 9/26/2014 Landowner/Lessee Signature Date X _____ Landowner/Lessee Signature Date NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property and may do so during the weekend before the scheduled public hearing date.		APPLICATION TYPE ALLOWABLE USE CONDITIONAL USE VARIANCE DESIGN REVIEW SUBDIVISION OTHER:		
APPLICANT (If same as OWNER, write "SAME" and sign and date at X below)				
Applicant's Name MRV Architects		Contact by E-Mail: <input type="checkbox"/> zane@mrvarchitects.com	Contact Person Zane	
Mailing Address		Home Phone No.	Work Phone No. 586-1371	
		FAX No.		
X Zane Applicant's Signature		X 9/25/2014 Date of Application		

(OFFICE USE ONLY BELOW THIS LINE)

STAFF APPROVALS	C K	PERMIT TYPE	SIGN	DATE RECEIVED	APPLICATION NO.	C K	PERMIT TYPE	DATE RECEIVED	APPLICATION NO.
		ALLOWABLE USE APPROVAL					WATER PERMIT		
		CONDITIONAL USE APPROVAL					SEWER PERMIT		
	<input checked="" type="checkbox"/>	VARIANCE		09/26/14	VAR20140022		GRADING PERMIT		
		DESIGN REVIEW APPROVAL	MINOR MAJOR				DRIVEWAY PERMIT		
		SUBDIVISION	MINOR MAJOR PUD				RIGHT-OF-WAY PERMIT		
		STREET VACATION					PUB. FAC. TRANSMISS. & EXCAV. PERMIT		
		SIGN APPROVAL	LOCATED IN HISTORIC DISTRICT? <input type="checkbox"/> YES <input type="checkbox"/> NO				OTHER - (Describe)		
		BUILDING PERMIT					Permit Intake Initials	ESF	
	Zone		Total Lot Area	Required Setbacks					
			Front _____ Back _____ Side _____ Other _____						
COMMENTS:									

NOTE: DEVELOPMENT PERMIT APPLICATION FORM MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS

MRV ARCHITECTS

1420 GLACIER AVENUE, JUNEAU, AK 99801 (907) 586-1371

Project: **Marine Exchange Building**

To: CBJ Board of Adjustment, Planning Commission

By: MRV Architects; Zane Jones

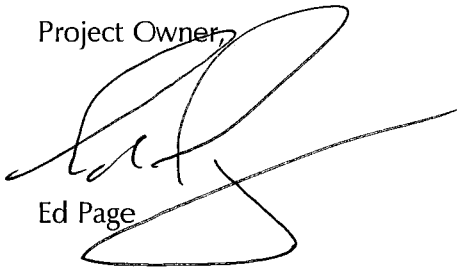
Date: September 25, 2014

MRV 1414

MRV Architects is working with the Marine Exchange of Alaska to design conceptual options for a new office facility located on their property at 1050 Harbor Way, a small waterfront lot located at the southeast edge of Harris Harbor.

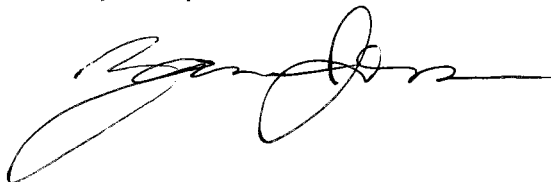
The intent of this letter is signify consent, that MRV Architects PC may act as the "Owner's Representative" in matters of variance applications that the project may require.

Project Owner,

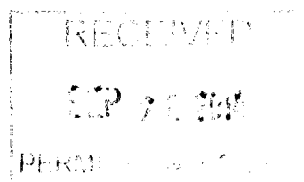


Ed Page

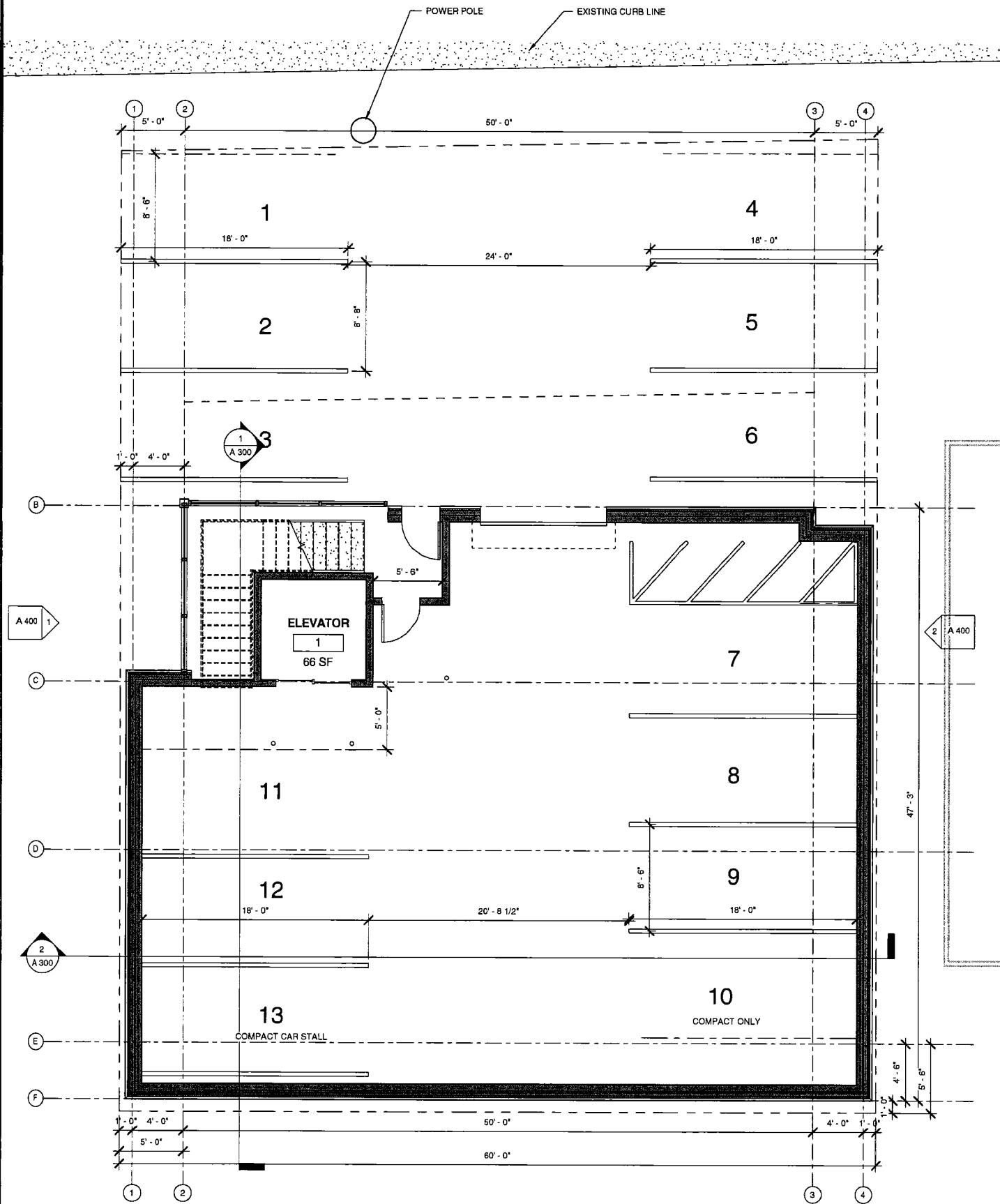
Project Representative



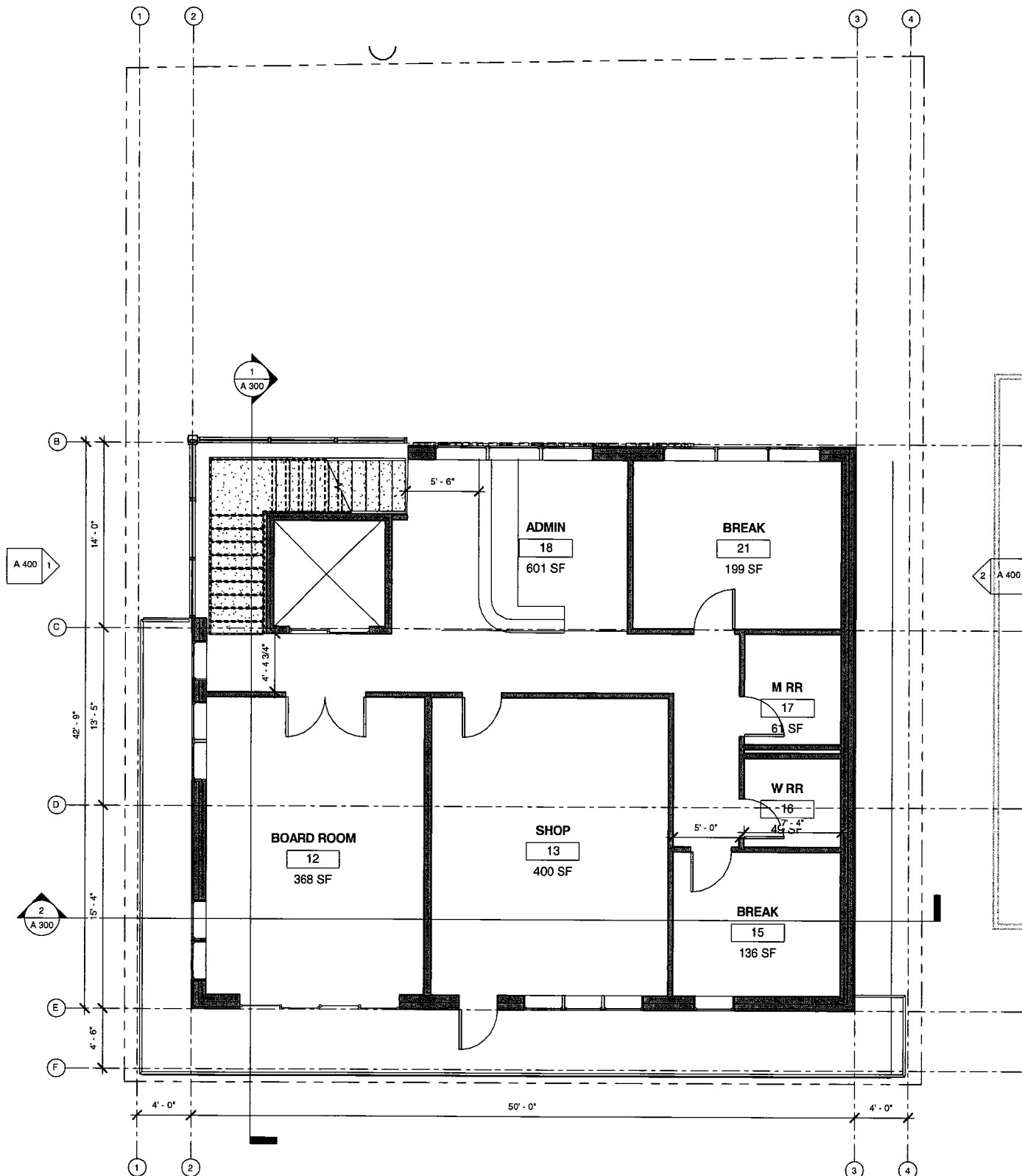
Zane Jones, MRV Architects.



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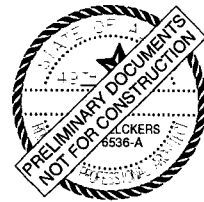
1 LEVEL 1
3/16" = 1'-0"



2 LEVEL 2
3/16" = 1'-0"

ATTACHMENT A

NOTE: 11"x 17" PRINT IS HALF SIZE



MRV ARCHITECTS
1420 GLACIER AVE. #101
JUNEAU, AK 99801
907-586-1371
FAX 907-463-5544
mrv@mrvarchitects.com

MRV 1414

CONCEPTUAL DRAWINGS MARINE EXCHANGE BUILDING

for
Owner

No.	Description	Date

SHEET TITLE:
FLOOR PLANS

DATE: 08/20/12
SCALE:
DRAWN: mv
CHECKED: PV

SHEET NO.

A 201

MARINE EXCHANGE BUILDING

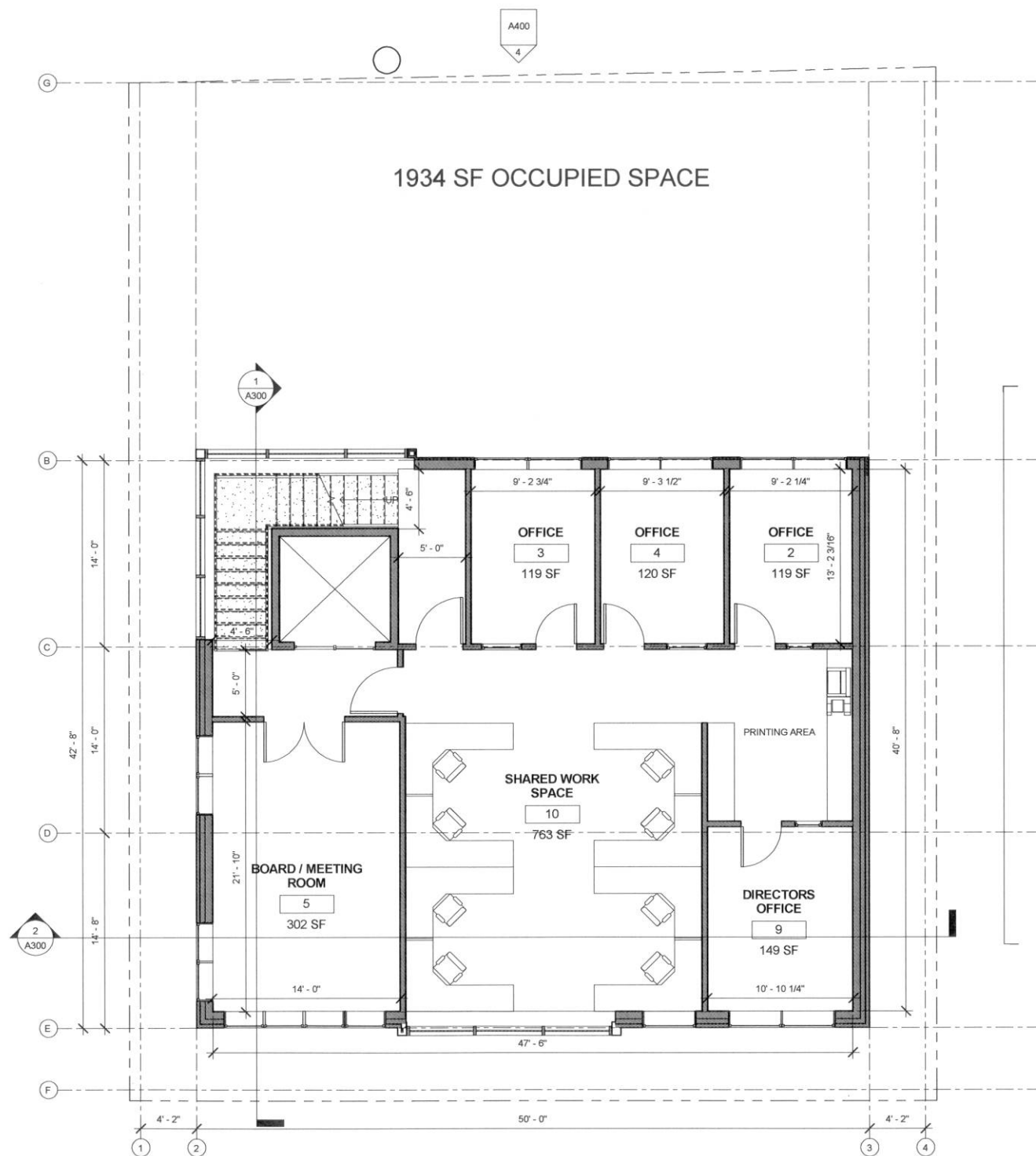
For
Marine Exchange

CONCEPTUAL DRAWINGS
SEPTEMBER 2014

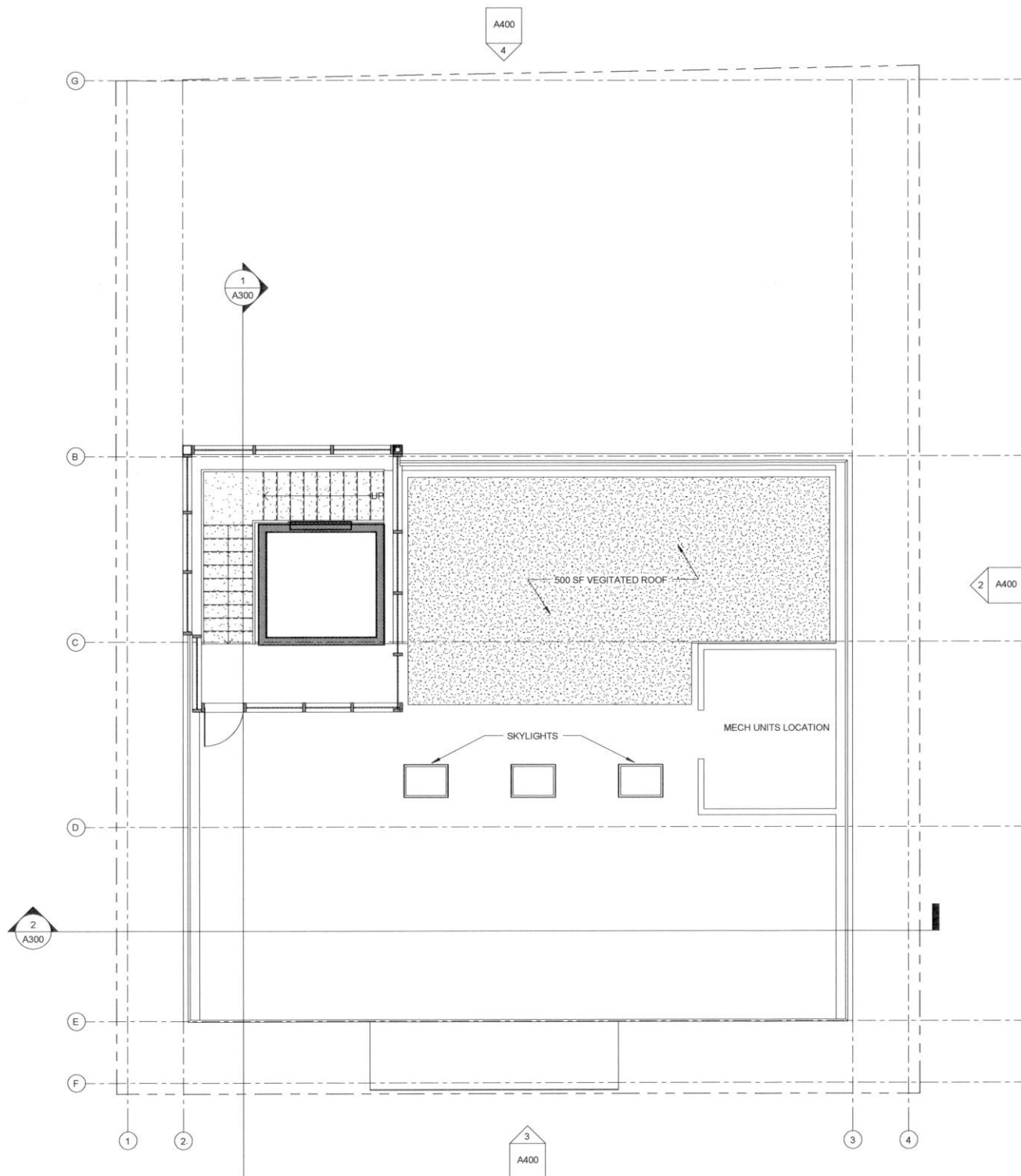


ATTACHMENT B

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1 FLOOR 3
3/16" = 1'-0" 0' 2' 4' 8'



2 ROOF PLAN
3/16" = 1'-0" 0' 2' 4' 8'



MRV
ARCHITECTS
ARCHITECTURE PLANNING INTERIORS

MRV ARCHITECTS
1420 GLACIER AVE. #101
JUNEAU, AK 99801
907-586-1371
FAX 907-463-5544
mrv@mrvarchitects.com

MRV 1414

CONCEPTUAL DRAWINGS
for
OWNER
MARINE EXCHANGE BUILDING

No.	Description	Date

SHEET TITLE:
FLOOR PLANS

DATE: 08/20/14
SCALE:
DRAWN: ZJ
CHECKED: PV

SHEET NO.

A202



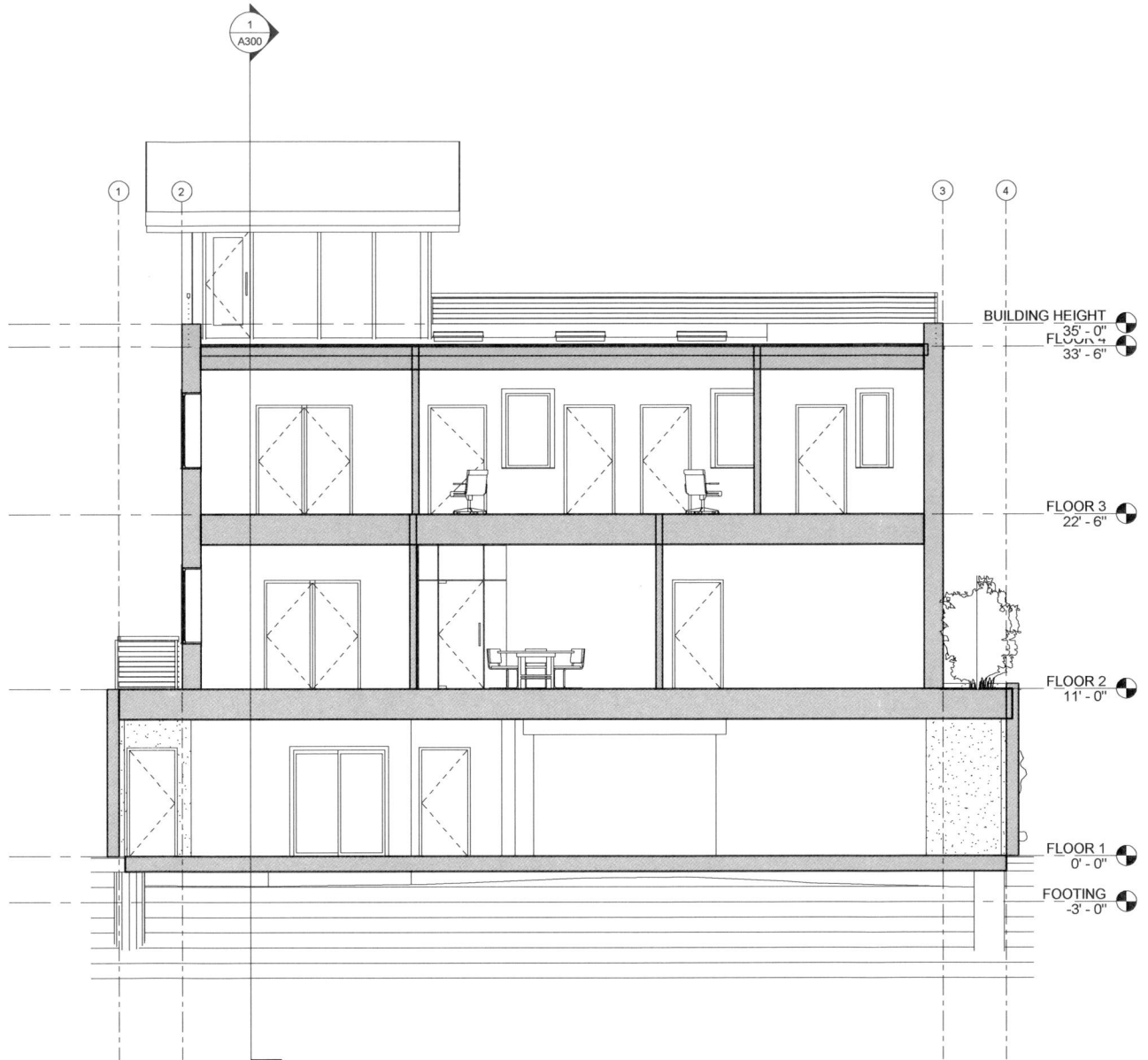
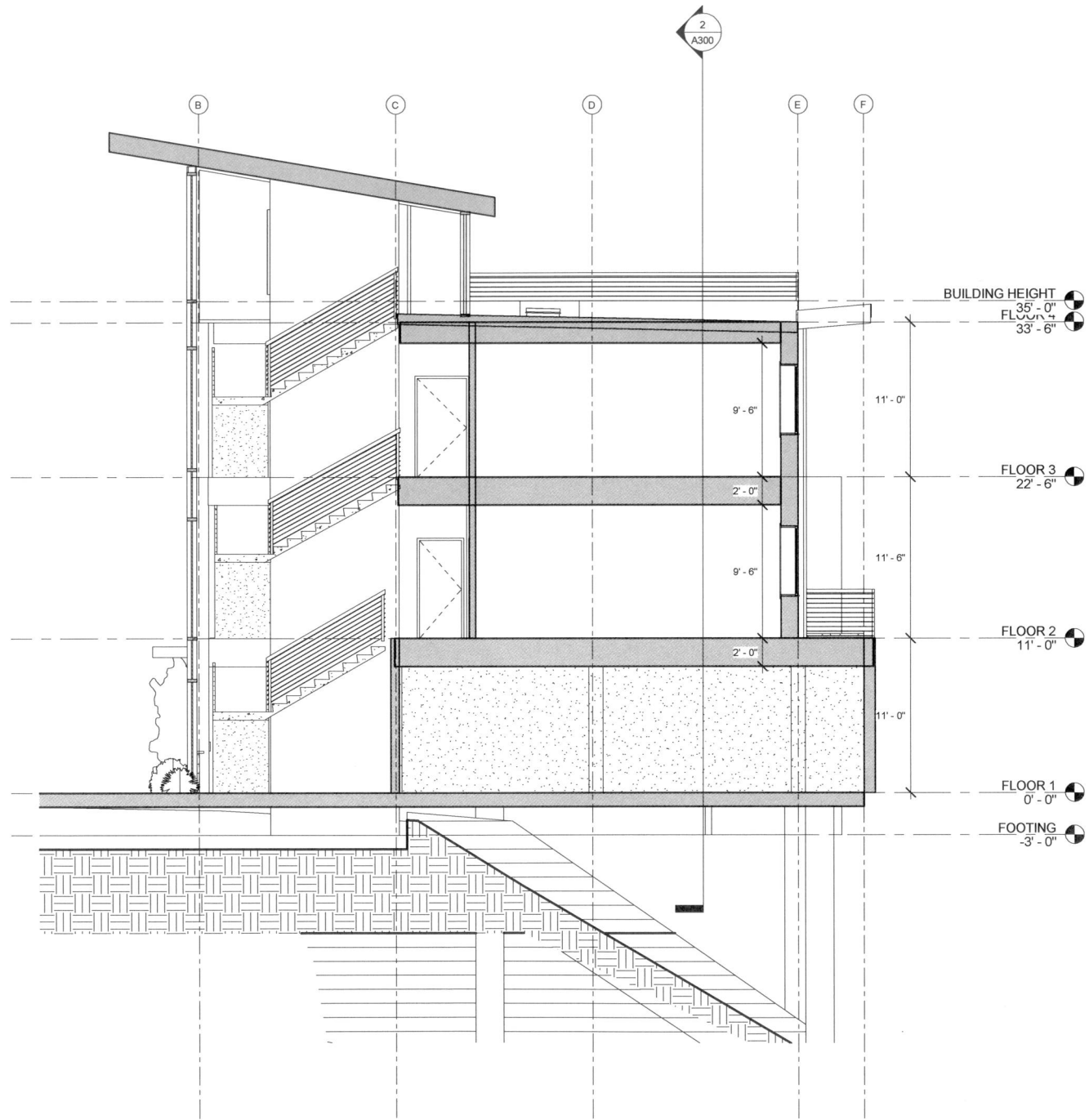
ACTUAL NORTH



PROJECT NORTH

NOTE: 11"x 17" PRINT IS HALF SIZE

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NOTE: 11"x 17" PRINT IS HALF SIZE



MRV
ARCHITECTS
ARCHITECTURE PLANNING INTERIORS

MRV ARCHITECTS
1420 GLACIER AVE. #101
JUNEAU, AK 99801
907-586-1371
FAX 907-463-5544
mrv@mrvarchitects.com

MRV 1414

CONCEPTUAL DRAWINGS
for
MARINE EXCHANGE BUILDING
Owner

No.	Description	Date

SHEET TITLE:
SECTIONS

DATE: 08/28/12
SCALE:
DRAWN: ZJ
CHECKED: PV

SHEET NO.

A300

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MRV
ARCHITECTS
MRV ARCHITECTS, INC.
PLANNING INTERIORS

MRV ARCHITECTS
1420 GLACIER AVE. #101
JUNEAU, AK 99801
907-586-1371
FAX 907-463-5544
mrv@mrvarchitects.com

MRV 1414

CONCEPTUAL DRAWINGS
for
MARINE EXCHANGE BUILDING
Owner

No.	Description	Date

SHEET TITLE:
ELEVATIONS

DATE: 08/20/12
SCALE:
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CHECKED: PV

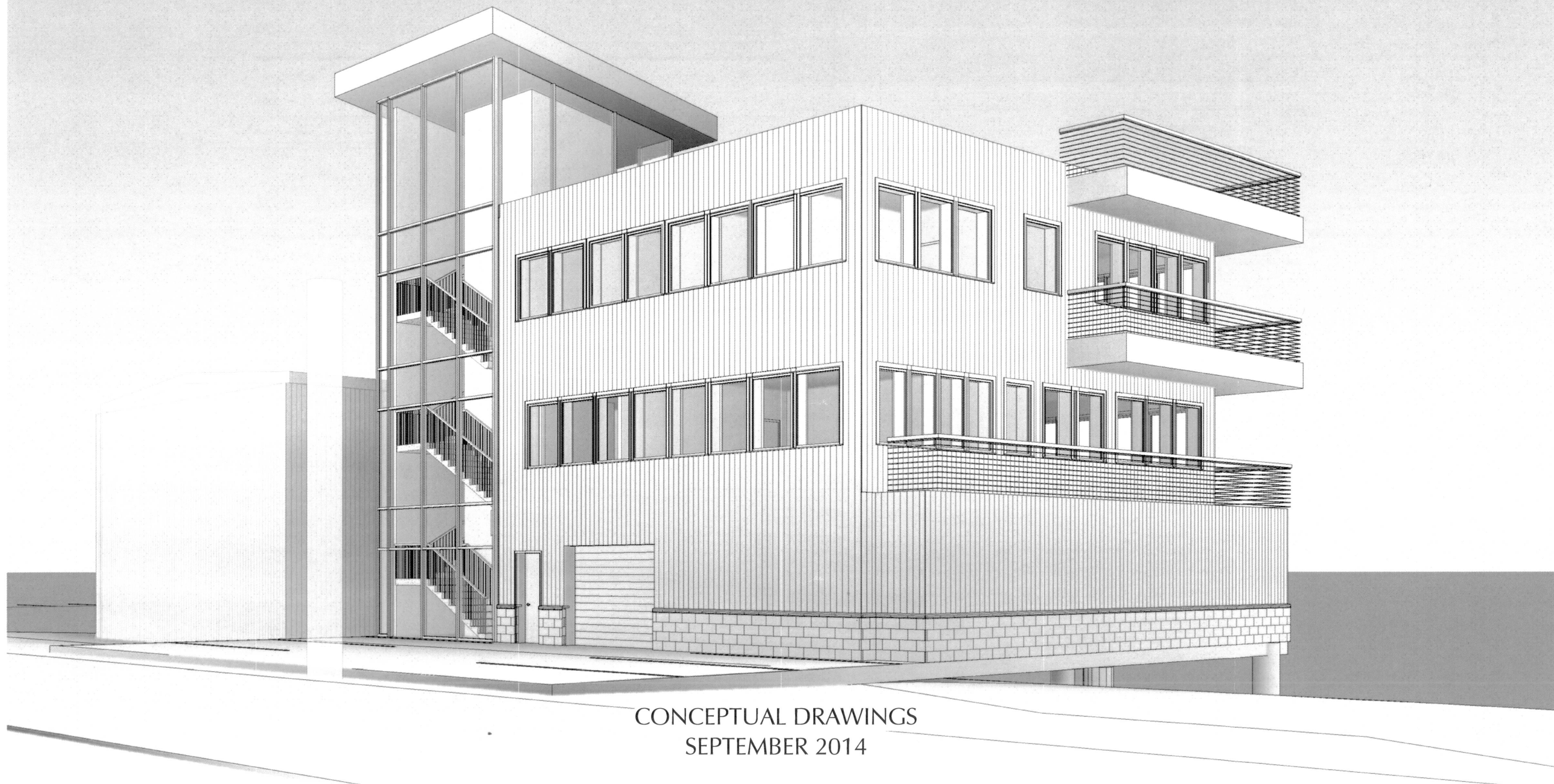
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NOTE: 11"x 17" PRINT IS HALF SIZE

MARINE EXCHANGE BUILDING

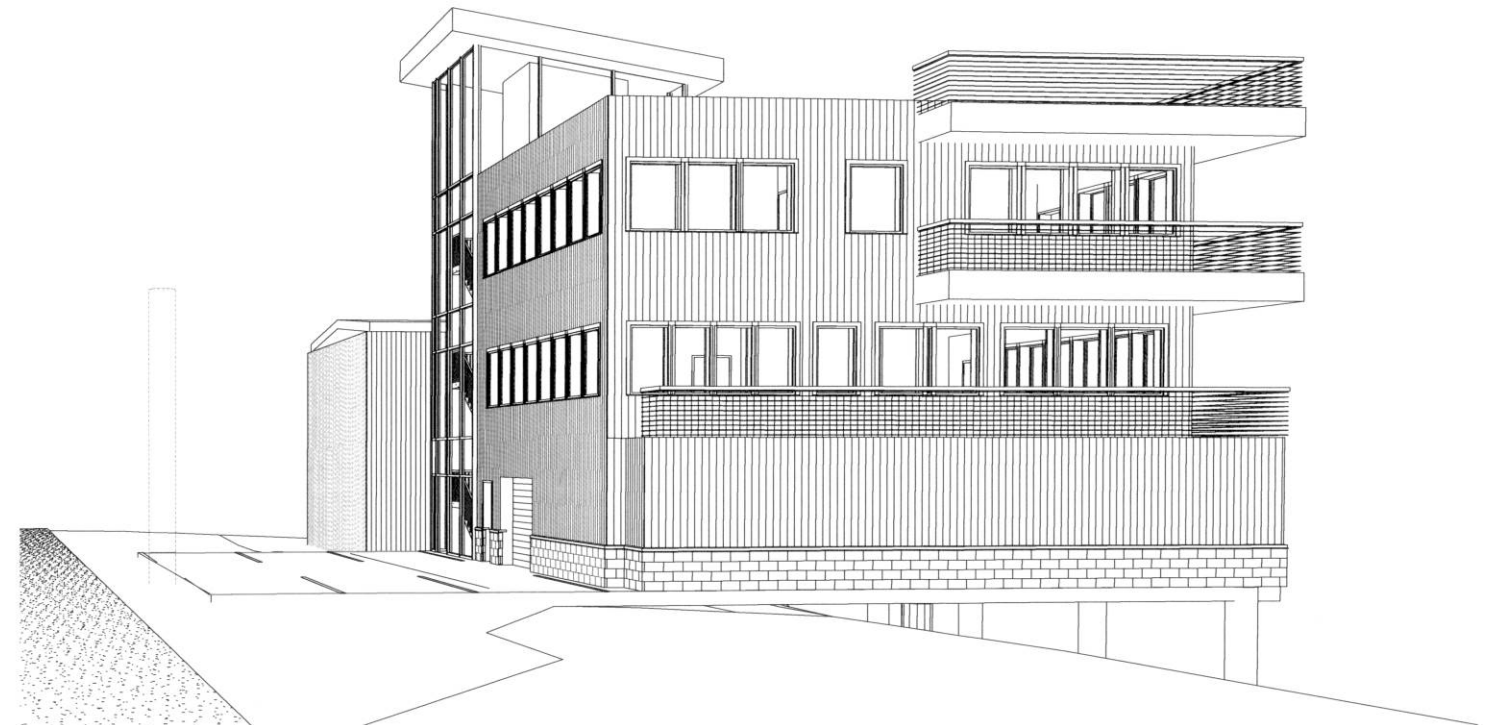
For
Marine Exchange



CONCEPTUAL DRAWINGS
SEPTEMBER 2014

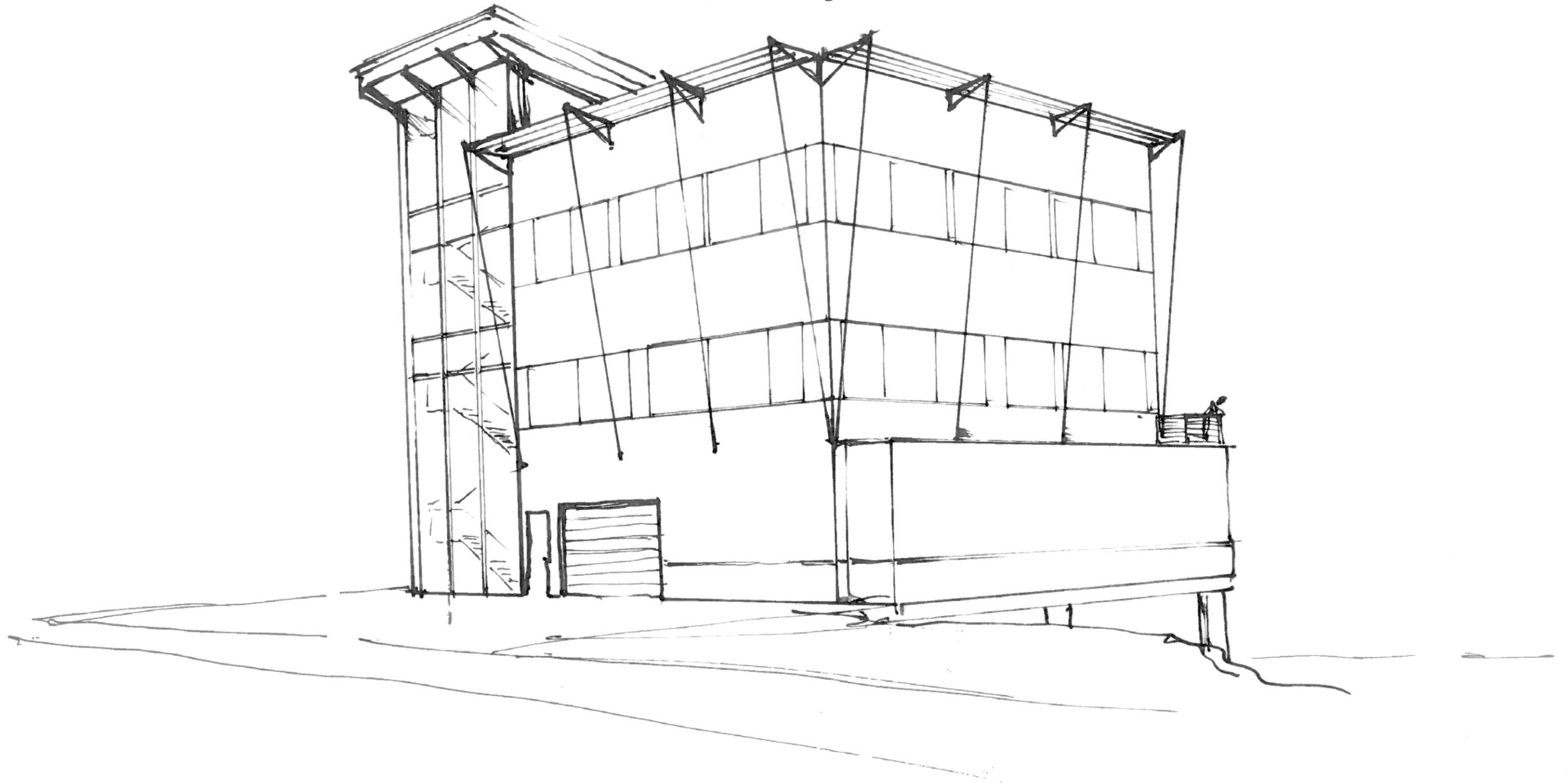
MARINE EXCHANGE BUILDING

For
Marine Exchange



MARINE EXCHANGE BUILDING

For
Marine Exchange



CONCEPTUAL SKETCH

MRV ARCHITECTS

1420 GLACIER AVENUE, JUNEAU, AK 99801 (907) 586-1371

Project: **Marine Exchange Building**

To: CBJ Board of Adjustment, Planning Commission

By: MRV Architects; Zane Jones

Date: September 25, 2014

MRV 1414

MRV Architects is working with the Marine Exchange of Alaska to design conceptual options for a new office facility located on their property at 1050 Harbor Way, a small waterfront lot located at the southeast edge of Harris Harbor.

The lot in question measures approximately 60' in width by 75' in length, with about half of the lot filled, and the remainder a steep fill slope down to tide. Previous design projects include a restaurant/residence proposal from 1990, and a duplex residence from 2011. The 1990 project included State approvals for piling placement, and the 2011 project included CBJ variances to reduce side yard setbacks to 5', and allow back-out parking.

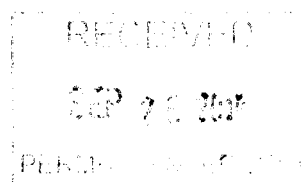
The new proposed project, a three-story facility with enclosed parking on the ground level, and two levels of office space above providing the primary office for the Marine Exchange, is arguably a much better fit for the Waterfront Commercial zoning district.

Only two other lots have frontage on Harbor Way, an adjoining US Fish and Wildlife support building, and Juneau Electronics (where the Marine Exchange currently rents space). Each building is constructed with 5' side yard setbacks. The lot to be developed abuts the U.S. Fish and Wildlife building on its Southeast side, and Harris Harbor parking on its Northwest side.

The project as envisioned would propose a side yard setback reduction to zero on the first floor, with concrete walls of the parking structure and no openings. The upper two floors, except the stairwell, would step back to a 5' side yard setback on each side. The rear of the building (facing the water) would also propose a 0' setback, which is consistent with water frontage set-back practice.

CBJ variance VAR2011 0018, concerning the side yard setback reduction, included the following finding on impacts to adjoining properties:

"No evidence indicates that authorization of the Variance will injure nearby property. The two adjacent properties to the southeast have five-foot side yard setbacks instead of 10, and the immediately adjacent government building is typically used only in the summer. The area to the northeast is a parking area for Harris Harbor. CBJ Docks and Harbors does not have any objection to the proposal."



Other arguments in favor in of the current design proposal include the fact that on-site parking will be developed with conventional 90 degree parking, eliminating the need for back-out parking, a previously required variance.

The building is intended to show-case quality design, with positive visual and functional attributes on this important waterfront site. It is hoped that the CBJ will help facilitate the development of this physically constrained site, with support of the identified variance(s). The solution as proposed will offer many positive benefits to the community, with little or no negative impacts.

Sincerely,

Zane Jones
MRV Architects

Variance Approval Criteria: Setbacks

1. The relaxation applied for or a lesser relaxation specified by the board of adjustment would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.

Substantial relief is given to the owner and project if the setback limitations are lessened. Given the lot size, development is drastically limited, even at the modest building scale proposed. The project, or modest development would not be able to function within the current setbacks.

2. Relief can be granted in such a fashion that the intent of this title will be observed and the public safety and welfare preserved.

If relief is granted, the intent of the title will be maintained, primarily in the form of allowing space needed for modest development of a waterfront commercial building. The public safety, health, and welfare will be addressed through the building code requirements. Construction materials and methods required by code to build within property line proximity will be followed. In particular; The current proposed design shows a solid wall of fire-rated construction on the southeast façade adjacent the neighboring building.

3. The authorization of the variance will not injure the nearby property.

No injury is foreseen for the parking property to the north, or the building & property to the south. There will be minor visual impact on the south adjacent property. However, the current state of the undeveloped property is likely a greater visual injury than a new development. Authorization will likely improve and increase the value of nearby property.

4. The variance does not authorize uses not allowed in the district involved.

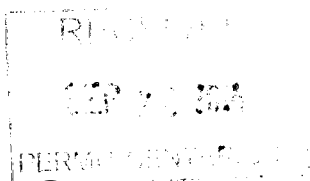
All uses proposed are allowed in the district zoning and code.

5. Compliance with the existing standards would:

- (A) Unreasonably prevent the owner from using the property for a permissible principal use;*
- (B) Unreasonably prevent the owner from using the property in a manner which is consistent as to scale, amenities, appearance or features, with existing development in the neighborhood of the subject property; The proposed building scale is similar in scale to nearby buildings. Previous project attempts have required variances, see attached documents. To meet parking requirements of a similar scale project, setback variances are required.*
- (C) Be unnecessarily burdensome because unique physical features of the property render compliance with the standards unreasonably expensive; or*
- (D) Because of preexisting nonconforming conditions on the subject parcel, the grant of the variance would not result in a net decrease in overall compliance with the land use code, title 49, or the building code, title 19, or both; or*

6. A grant of the variance would result in more benefits than detriments to the neighborhood.

The neighborhood/district would greatly benefit from the proposed project and variance approval. Currently, the undeveloped lot detracts from the area. The proposed project will greatly improve the visual aspects of the immediate area, and the marine use of the project strengthens the waterfront district community overall.





Paul Voelckers <paul@mrvarchitects.com>

Re: Marine Exchange Project

1 message

Paul Voelckers <paul@mrvarchitects.com>

Mon, Oct 13, 2014 at 1:40 PM

To: Eric Feldt <Eric.Feldt@juneau.org>, Hal Hart <Hal_Hart@ci.juneau.ak.us>, Travis Goddard <travis_goddard@ci.juneau.ak.us>

Cc: Zane Jones <zane@mrvarchitects.com>, Ed Page <edpage@mxak.org>, Brett Farrell <brettfarrell@mxak.org>

Thanks for the info, Eric.

Two quick things. We should not require a parking aisle variance, by our analysis. As revised plans illustrate, we will have a net interior garage width of 58'-4". Our parking stalls will be a minimum of 9' width by 17' length (exceeding 49.40.210(b)(1)). This leaves an aisle of 24'-4".

For your interest and comparison, the waterfront parking garage has a net interior dimension of 58'-5". This has worked fine for large pickup trucks for the last 25 years. Anyway, the aisle width question should be moot. When we meet at 3:00, we will provide a new/improved ground floor plan illustrating dimensions more fully.

Second, your narrative describing the side yard variance does not capture what we are requesting, nor the existing variance in place. Here is some proposed text:

"A variance is requested to reduce both side yard setbacks from 5' to 0' for a first floor garage. A previous granted variance, VAR2011 0018, from 2011 has reduced the side yard setbacks from 10' to 5'. All portions of the structure above the first floor will comply with the current 5' setback."

As you work on the text and rationale for the side yard setback variance, the following criteria should be identified:

1. Without the requested variance, efficient and dimensionally-compliant 90 degree parking space can not be configured.
2. With 90 degree parking as proposed, the previous variance granted for back-out parking, VAR2011 0021, can be nullified, resulting in a safer traffic condition at the street.
3. Due to small size, the site is heavily constrained. Significant funds will be expended on foundations and marine piling to extend the facility over the water to incorporate required parking and the minimum program size for the client facility. A lesser relaxation renders the project infeasible.
4. Minimum impacts to adjoining side lots will occur, with harbor parking on one side and a low-occupancy USFS storage building on the other side.
5. An attractive and desirable professional office facility will be constructed on a lot which has proven otherwise infeasible to develop.

Thanks,

Paul

On Mon, Oct 13, 2014 at 11:36 AM, Eric Feldt <Eric.Feldt@juneau.org> wrote:

Paul,

I have attached the Fee In Lieu map, Parking District map, and a draft report of the Variance for reduced parking access aisle. I will see if Hal and Travis can meet after 3pm today for further discussions of this project.

Eric Feldt, Planner II, C.F.M.

Community Development Dept.

City & Borough of Juneau

155 South Seward Street

Juneau, Alaska 99801

(: (907) 586-0764 | 7: (907) 586-4529

*Eric.Feldt@juneau.org

A cookie a day keeps the sadness away. An entire jar of cookies a day brings it back.

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