



**PLANNING COMMISSION STAFF REPORT
CONDITIONAL USE PERMIT USE2022 0014
HEARING DATE: SEPTEMBER 27, 2022**

(907) 586-0715

CDD_Admin@juneau.org

www.juneau.org/community-development

155 S. Seward Street • Juneau, AK 99801

DATE: September 19, 2022
TO: Michael LeVine, Chair, Planning Commission
BY: Jennifer Shields, Planner II *Jennifer L. Shields*
THROUGH: Jill Maclean, AICP, Director

PROPOSAL: Applicant requests two modifications to Conditional Use Permit USE2022 0005 for a cold weather emergency shelter at Resurrection Lutheran Church.

Modification #1: Newly proposed hours of operation of 8:00 P.M. – 7:30 A.M. (current hours: 9:00 P.M. – 6:30 A.M.).

Modification #2: Newly proposed operation start date of October 15 (current start date is November 1).

STAFF RECOMMENDATION: Approval with conditions.

KEY CONSIDERATIONS FOR REVIEW:

- An emergency shelter is a permissible use in the Light Commercial zoning district.
- The applicant has worked with the Juneau Police Department and CBJ staff to mitigate off-site impacts.
- The applicant has received support from other social service agencies and its neighbors, including those initially opposed to the emergency shelter.

GENERAL INFORMATION	
Property Owner	Resurrection Lutheran Church
Applicant	Resurrection Lutheran Church
Property Address	740 West 10 th Street
Legal Description	Casey Shattuck Block 226 Lots 6, 7, & 8
Parcel Number	1C060C260060
Zoning	Light Commercial (LC)
Land Use Designation	Commercial (C)
Lot Size	10,800 square feet
Water/Sewer	City water and sewer
Access	West 10 th Street
Existing Land Use	Church
Associated Applications	USE2021 0011, USE2022 0005

ALTERNATIVE ACTIONS:

1. **Amend:** require additional conditions, or delete or modify the recommended conditions.
2. **Deny:** deny the permit and adopt new findings for items 1-6 below that support the denial.
3. **Continue:** to a future meeting date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - CBJ 49.15.330 (Conditional Use Permit)
 - CBJ 49.80 (Definitions)

SITE FEATURES AND ZONING



SURROUNDING ZONING AND LAND USES	
North (D5)	Residential
South (LC)	Residential
East (D5)	Residential
West (LC)	Commercial

SITE FEATURES	
Anadromous	None
Flood Zone	Zone X, area of minimal risk
Hazard	None known
Hillside	None
Wetlands	None
Parking District	Town Center Parking Area
Historic District	Casey Shattuck Historic Neighborhood
Overlay Districts	Downtown Juneau Alternative Development Overlay District

BACKGROUND INFORMATION

The Planning Commission, at its regular meeting on November 15, 2021, approved USE2021 0011 (Attachment B) for the operation of a cold weather emergency shelter at Resurrection Lutheran Church, subject to the following conditions:

1. Prior to the opening of the facility, smoke detectors must be installed in the sleeping area and in each of the shelter's restrooms. **Complete**
2. Prior to the opening of the facility, an alarm must be installed on the emergency exit door in the shelter's sleeping area. **Complete**
3. If new exterior lights are added to the church building, a lighting plan illustrating location and type of exterior light shall be provided to the Community Development Department. **N/A**
4. Prior to the opening of the facility, exterior security cameras must be installed and functional. **Complete**
5. The shelter facility's operating start time will not be before 9:00 P.M. and will end by 6:30 A.M. the next day. **Ongoing / Requesting Modification**
6. The shelter facility can operate from November 1 to May 1. **Ongoing / Requesting Modification**
7. When the shelter facility is operating, there must be a minimum of two (2) staff present at all times. **Ongoing**
8. The shelter facility will provide a contact number to the surrounding neighbors that will be actively answered during operating hours. The intent of this condition is to provide a way for shelter staff to respond to issues as they arise in the area. **Ongoing**.
9. This permit will expire on May 1, 2022. **Modified**

On April 26, 2022, the Commission approved Conditional Use Permit Modification USE2022 0005 (Attachment C) with the same Conditions 1 through 8, and one modified condition:

1. Condition 9: The permit will **expire on June 1, 2024**.

The applicant is now requesting the following modifications of USE2022 0005:

- Condition 5 Modification:
Proposed hours of operation of 8:00 p.m.—7:30 A.M. (current hours: 9:00 P.M. — 6:30 A.M.).
- Condition 6 Modification:
Proposed operation start date of October 15 (current start date is November 1).

ANALYSIS

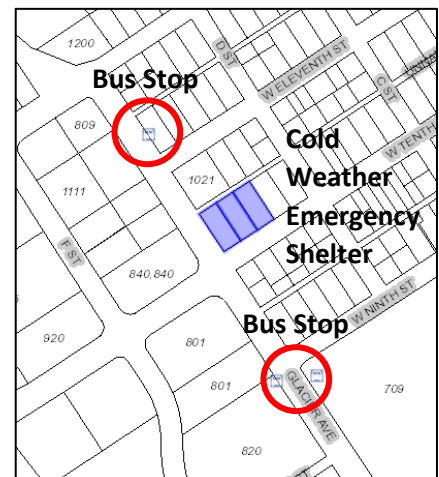
The applicant is requesting modifications to the hours of operation and operation start date in order to address concerns raised at the April 26, 2022 Commission meeting.

Hours of Operation:

The applicant is requesting the ability to open the cold weather emergency shelter one hour earlier, at 8:00 P.M., in case of low temperatures, and in order to discourage patrons from congregating outside of the church building and around the neighborhood prior to opening. The applicant feels that this change will be in the best interest of both their patrons and the neighborhood.

The applicant is also requesting the ability to close the cold weather emergency shelter one hour later, at 7:30 A.M., in order to allow patrons the ability to stay in the shelter until a closer time to when the first transit buses arrive in the area, and to avoid interactions with children attending nearby Harborview Elementary School, which has school hours of 8:00 A.M. to 2:30 P.M.

The majority of cold weather emergency shelter patrons depend upon public transit and walking, and need time to get to a bus stop to travel to and from the shelter. The closest bus stops near the cold weather emergency shelter are at Glacier Avenue/9th Street and Glacier Avenue/12th Street (Federal Building). Capital Transit Route 14 (Mendenhall/Riverside Commuter) arrives at the Federal Building stop at 6:55 A.M. on weekdays. Routes 1 (Douglas) and 3 (Mendenhall Loop Counterclockwise) arrive at the Federal Building stop at 7:15 A.M. on weekdays.



Route 6 (Riverside Express), which is the only route that currently stops at Teal Street Center near the Glory Hall, arrives at the Federal Building stop at 8:00 A.M., with its last stop at 6:00 P.M. The Glory Hall provides a shuttle bus to bring cold weather emergency shelter patrons to the Glory Hall and Teal Street for services, and the shuttle driver cannot leave the Glory Hall until 7:00 A.M.

Operation Start Date:

The applicant is requesting the ability to open the cold weather emergency shelter two weeks earlier, on October 15 instead of November 1, in case of low temperatures for patrons. The earlier start date will also benefit patrons

by coordinating with the closing of the CBJ operated Mill Campground, located on the Mount Roberts hillside near Franklin Dock and Taku Smokeries, which offers tent platforms and accompanying facilities free of charge to patrons.

CBJ and the applicant have executed a new contract for the cold weather emergency shelter that references pending approval from the Commission on hours of operation and operation start date (Attachment D).

AGENCY REVIEW

CDD contacted the Juneau Police Department (JPD) regarding this application and received the following response from Deputy Chief David Campbell on September 1, 2022, "JPD has no issues with these modifications".

CDD also contacted the Parks and Recreation Department regarding this application and received the following response from Deputy Director Michele Elfers on August 16, 2022, "We will plan to close the Mill campground on October 15. Having the shelter open on the 15th will really help us in our closing process. There could be a rare situation with very early freeze and snow or bear disaster where we would have to close earlier, but I think this is unlikely."

PUBLIC COMMENTS

CDD conducted a public comment period between August 29, 2022 and September 5, 2022. Public notice was mailed to property owners within 500 feet of the proposed development (Attachment E). A public notice sign was also posted on site two weeks prior to the scheduled hearing (Attachment F). Public comments submitted at the time of writing this staff report can be found in Attachment G.

Name	Summary
Dale Gosnell	Support
Lise Paradis	Support

FINDINGS

Conditional Use Permit Criteria – 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?*

Analysis: No further analysis needed.

Finding: Yes. 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?*

Analysis: The application is for a cold weather emergency shelter (CBJ 49.80 Assisted living). The use is listed in CBJ 49.25.300, Section 7.200 for the Light Commercial zoning district.

Finding: Yes. The requested permit is appropriate according to the Table of Permissible Uses.

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

Analysis: The proposed project does comply with the other requirements of Title 49 and the CBJ Building and Fire Code.

Finding: Yes. With the recommended conditions, the proposed development will comply with Title 49 and the CBJ Building and Fire Code.

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

Analysis: This finding hinges on the idea of “materially endanger.” “Materially” means “significant or substantial.” “Endanger” means “to bring into danger or peril.” Since approval, the cold weather emergency shelter has mitigated concerns and responded to complaints from the community or neighbors. The cold weather emergency shelter has maintained communication with neighbors and been available as needed. JPD has no concerns with Resurrection Lutheran Church continuing operations of the cold weather emergency shelter.

Finding: No. With appropriate conditions, the requested permit for a cold weather emergency shelter in a Light Commercial zoning district will not materially endanger the 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?*

Analysis: CBJ Assessor does not consider proximity to an emergency housing shelter when assessing property.

Finding: No. There is no evidence to suggest that with appropriate conditions, the requested permit for a cold weather emergency shelter in a Light Commercial zoning district will substantially decrease the value of or be out of harmony with the property in the neighboring area.

6. *Will the proposed development be in general conformity with the Land Use Plan, Thoroughfare Plan, or other officially adopted plans?*

Analysis: No further analysis needed.

Finding: Yes. The proposed cold weather emergency shelter, with the recommended conditions, will be in general conformity with the 2013 Comprehensive Plan.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit with the following modifications to Conditions 5 and 6, and all other conditions remaining the same:

1. Prior to the opening of the facility, smoke detectors must be installed in the sleeping area and in each of the shelter's restrooms.
2. Prior to the opening of the facility, an alarm must be installed on the emergency exit door in the shelter's sleeping area.
3. If new exterior lights are added to the church building, a lighting plan illustrating location and type of exterior light shall be provided to the Community Development Department.
4. Prior to the opening of the facility, exterior security cameras must be installed and functional.
5. The shelter facility's operating start time will not be before 8:00 P.M. and will end by 7:30 A.M. the next day.
6. The shelter facility can operate from October 15 to May 1.
7. When the shelter facility is operating, there must be a minimum of two (2) staff present at all times.
8. The shelter facility will provide a contact number to the surrounding neighbors that will be actively answered during operating hours. The intent of this condition is to provide a way for shelter staff to respond to issues as they arise in the area.
9. The permit will expire on June 1, 2024.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	USE2021 0011 Notice of Decision and Staff Report
Attachment C	USE2022 0005 Notice of Decision and Staff Report
Attachment D	CBJ Contract for a Cold Weather Emergency Shelter
Attachment E	Abutters Notice
Attachment F	Public Notice Sign Photo
Attachment G	Public Comments



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications.

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address 740 W 10th Street, Juneau, AK, 99801		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Casey Shattuck Block 226 Lots 6, 7, and 8		
	Parcel Number(s) 1C060C260060		
	<input type="checkbox"/> This property located in the downtown historic district <input type="checkbox"/> This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner Resurrection Lutheran Church	Contact Person Bradley Perkins	Phone Number(s) 808-782-5795
	Mailing Address 740 W 10th Street, Juneau, AK, 99801		
	E-mail Address manager@warmingshelter.org		
	LANDOWNER/ LESSEE CONSENT Required for Planning Permits, not needed on Building/ Engineering Permits		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X <u><i>Kausp 16+</i></u> Pastor Landowner/Lessee Signature		August 11, 2022 Date	
X _____ Landowner/Lessee Signature		_____ Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT If the same as OWNER, write "SAME"			
Applicant SAME	Contact Person		
Mailing Address	Phone Number(s)		
E-mail Address			
X <u><i>Kausp 16+</i></u> Applicant's Signature		August 11, 2022 Date of Application	

DEPARTMENT USE ONLY BELOW THIS LINE

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Intake Initials JLS
Case Number USE22-014
Date Received 8/11/22



ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

To be completed by Applicant

PROJECT SUMMARY

Resurrection Lutheran Church (RLC) proposes allocating space within its facility located at 740 W 10th Street to operate the Cold Weather Emergency Shelter (CWES) for the City and Borough of Juneau (CBJ), assuming the contract abrogated by St. Vincent de Paul (SVdP).

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

- ☐ Accessory Apartment – Accessory Apartment Application (AAP)
☒ Use Listed in 49.25.300 – Table of Permissible Uses (USE)
 Table of Permissible Uses Category: _____

IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL?

☒ YES – Case # USE21-11 USE22-05 ☐ NO

UTILITIES PROPOSED

WATER: ☒ Public ☐ On Site

SEWER: ☒ Public ☐ On Site

SITE AND BUILDING SPECIFICS

Total Area of Lot 10,800 square feet Total Area of Existing Structure(s) 5,034 square feet
 Total Area of Proposed Structure(s) N/A 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

ALL REQUIRED DOCUMENTS ATTACHED

☒ Narrative including:

- ☒ Current use of land or building(s)
☒ Description of project, project site, circulation, traffic etc.
☒ Proposed use of land or building(s)
☐ How the proposed use complies with the Comprehensive Plan

If this is a modification or extension include:

- ☒ Notice of Decision and case number
☒ Justification for the modification or extension
☒ Application submitted at least 30 days before expiration date

☒ Plans including:

- ☒ Site plan
☒ Floor plan(s)
☐ Elevation view of existing and proposed buildings
☐ Proposed vegetative cover
☐ Existing and proposed parking areas and proposed traffic circulation
☐ Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)

DEPARTMENT USE ONLY BELOW THIS LINE

ALLOWABLE/CONDITIONAL USE FEES		Check No.	Receipt	Date
Application Fees	\$ <u>250.00</u>			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ <u>50.00</u>			
Pub. Not. Sign Deposit	\$ <u>100.00</u>			
Total Fee	\$ <u>400.00</u>			

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INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number	Date Received
<u>USE22-014</u>	<u>8-11-22</u>

Allowable / Conditional Use Permit Application Amendment Narrative

Project

Resurrection Lutheran Church (RLC) proposes an amendment of Conditional Use Permit NOD USE2021 0011 granted November 15, 2021 by the City and Borough of Juneau (CBJ) Planning Commission (PC) ("CUP" - attached) incorporating a November 2, 2021 memorandum from Allison Eddins, Community Development, to the CBJ Planning Commission regarding USE2021 0011 ("CD CUP Memorandum" - attached), allocating space within its facility located at 740 W 10th Street to operate the Cold Weather Emergency Shelter (CWES) for the CBJ under CBJ PO # 114413 ("PO" - attached) for CBJ Contract MR 220-198 ("Contract" - attached), as amended by of Conditional Use Permit NOD USE2022 0005 granted April 29, 2021 by the CBJ PC ("CUP Extension" - attached), incorporating a April 18, 2022 memorandum from Jennifer Shields, Community Development Planner, to the CBJ Planning Commission regarding USE2022 0005 ("CD CUP Extension Memorandum" - attached).

Narrative

RLC has been in Juneau since 1926. It has a long and proud history of serving those in need in Juneau and Southeast Alaska, including multiple generations. It is a member of Love INC, Southeast Alaska Food Bank, the Juneau Suicide Prevention Coalition, Family Promise and regularly participates in the Juneau Coalition on Housing and Homelessness and Collaborated Efforts meetings. The Resurrection Quilters donate their handcrafted quilts to those in need locally in Juneau and worldwide. While many churches closed during the COVID-19 pandemic, RLC actually stepped up its operations. The church was one of several churches to open a Safe Space for Schooling (RLC SSS) program to support students attending Zoom classes and was recognized by Juneau School District and its superintendent. NAMI Juneau and the Suicide Prevention Coalition recognized our RLC SSS Program Supervisor, Clarice Bethers, for exceptional work helping children in the community. To accommodate the RLC SSS program, the Downstairs Hall (where RLC operates the CWES) was renovated. Last Fall, when St. Vincent de Paul decided not to complete the last two years of its CWES contract with the CBJ, the congregation stepped-in, realizing there were no other alternatives for the city's homeless individuals.

Current Use of the Facility

RLC's community service programs address immediate needs of refreshing and nourishing the body, mind and soul. RLC worship services nourishes the soul through regular Sunday worship services (9:30 am) in-person and live broadcast (or viewed later) on our YouTube channel (<https://www.youtube.com/c/JuneauLive>), as well as special worship services. The church also broadcasts an abridged version of its prior week's worship service on local radio station KINY on Sunday mornings at 9:30 am. RLC Warming Shelter refreshes the body by operating the CWES – AKA, the RLC Warming Shelter – for the CBJ. The RLC Warming Shelter is a low barrier shelter for adults operating during the winter when the nighttime temperature is predicted to be below freezing. Juneau Live! Studio nourishes the mind by supporting individuals and families in our community who are suffering from seclusion and isolation, and its consequences. Juneau Live! Studio connects this marginalized population to Juneau through live-entertainment, educational and informational, community-access television programming on its Juneau Live! YouTube

channel and KINY radio station. The RLC Food Panty nourishes the body by operating the largest food pantry in Juneau feeding 150 to 200+ individuals and families each week, by allowing patrons to select their own foods in an unique 100' COVID-safe mobile food line (paid for with a Rasmuson grant in 2021). The church believes these community service programs embody its mission to promote spiritual growth in Christ and service to all people.

2021/22 Winter Operation of the CWES under the CUP

In what ended up being a particularly harsh winter for those without stable housing, the RLC Warming Shelter during its 2021/22 operation:

- was open 100% from November 17th through April 15th (expectation was 80%) due to near 32° and below for entire season, opening as early as 9 pm when near 0°;
- provided 3,535 shelter nights for 346 unique patrons at a cost of \$46 per night, where each patron stayed an average of 10 nights and 63% of patrons stayed five or fewer nights;
- hosted 30 to 40 patrons each night (originally planned for 28), providing a hot, freshly prepared, nutritious dinner and breakfast; and
- every patron welcomed to return next night (regardless of prior behavior), while treating each patron in accordance with RLC guest service guidelines (based on Disney Institute).

The CUP Extension

On April 1, 2022, RLC requested an extension of the CUP, set to expire on May 1, 2022. On April 29, 2022, the Planning Commission issue NOD USE2022 005 which amended Condition 9 to read:

1. Condition 9: The permit will expire on June 1, 2024.

Request for Additional Amendments to the CUP / CUP Extension

The CBJ has requested, and RLC has agreed to operate the CWES for the 2022/23 Winter. The parties are in the process of renewing their agreement. RLC will continue to operate the CWES according to these guidelines:

RLC CWES Operational Guidelines

RLC operates the CWES:

- on behalf of the CBJ;
- in the best interest of:
 - CWES patrons;
 - RLC neighbors; and
 - Juneau community, and
- such that the CWES:
 - complies with the CUP (and amendments);
 - meets the requirements of the CBJ contract
 - operating costs do not exceed the fixed-fee paid under the CBJ contract;
 - complies with RLC Warming Shelter:
 - Patron Code of Conduct;
 - Guest Service Guidelines; and
 - Staff operational training, guidelines and policies.

In order to better meet these RLC CWES Operational Guidelines, RLC is requesting two additional amendments. First, that Condition 5 be amended:

5. The shelter facility's operating start time will not be before ~~9:00 P.M.~~ 8:00 P.M. and will end by ~~6:30 A.M.~~ 7:30 A.M. the next day.

to read:

5. The shelter facility's operating start time will not be before 8:00 P.M. and will end by 7:30 A.M. the next day.

Perhaps contrary to a perception of some RLC neighbors and others, RLC does not desire open the CWES as early in the evening as possible or keep it open as late in morning as possible. Each of these situations creates operational and budgetary challenges for RLC. It is actually in RLC's interest, from a staffing, overtime (budget), patron-management, facility-cleaning, food service, etc. perspective, to open at 10:30 P.M. and close the doors as early as possible.

However, when the temperatures were below zero degrees by 8:00 P.M. last January there was no other place for the CWES Patrons go. They in appropriate found places to congregate (at RLC, in the RLC neighborhood, etc.) while waiting for the CWES to open, creating challenges for patrons, staff, and RLC neighbors. Thus, while not regularly in RLC's interest to open as early as 8:00 P.M., RLC is requesting the operational latitude to do so on those days it determines it is in the best interest of the patrons and the RLC neighbors.

As to the CWES closing time of 6:30 A.M. last season, even the PC inquired of the RLC representatives at the last hearing if this time was too early. The PC offered to change this condition but was told by CBJ counsel that such a change was beyond scope of Applicant's amendment application and public notice. The 6:30 A.M. closing time was originally proposed by Commissioner Dye, RLC believes, to protect Harborview Elementary School students (who actually don't start arriving at school until about 8:00 A.M.). However, it inadvertently might have had the opposite effect. Patrons forced out at 6:30 A.M. with nowhere to go, often loiter around the area sometimes falling back asleep. Here are some of the issues with the 6:30 A.M. closing time:

- CBJ buses don't start running until after 7:00 A.M.;
- CWES Patrons need time to get to the bus stop (which might be at the Federal Building) and are often slowed down by carrying all their belongs;
- Glory Hall sends its shuttle bus to bring CWES patrons to the Glory Hall and Teal Street for services, but the shuttle driver cannot leave the Glory Hall until 7:00 A.M.; and
- CWES accepts patrons until 2:00 A.M., in any condition, and getting them up, through the bathrooms and fed (perhaps their only meal for the day) by 6:30 A.M. can be frustrating for patrons and staff.

In actuality, neither the CWES patrons nor Harborview Elementary School students have any interest in interacting, nor do the CWES patrons have any interest in loitering around RLC (there is literally nothing for them to do in the area). It is certainly RLC's desire to manage the CWES closing time to maximize the opportunities for the CWES patrons to get where they want to be. It is counter-productive to push them out at a time where there is nowhere for them to go other

than into the RLC neighborhood. It is explicitly the CWES staffs' responsibility (to the extent they can monitor it) to see that the patrons not only leave the CWES at closing time but minimize the impact on the RLC neighborhood. Having a closing time where the staff knows those patrons are heading onto a bus or shuttle is in everyone's best interest. Thus, RLC is asking for the latitude to set the closing time up to 7:30 A.M.

Second, that Condition 6 be amended:

6. The shelter facility can operate from ~~November 1~~ October 15 to May 1,
to read:

6. The shelter facility can operate from October 15 to May 1.

RLC learned that it is messy and unhealthy the CWES season to close and dump its 40 patrons onto the street with nowhere to go. When closing this last April 15, the CWES staff learned from the patrons that most of them were moving to the CBJ campground and volunteered their own time and vehicles to help patrons make a smooth transition. Unfortunately, the few that had not made plans for a proper home upon the CWES closing created problems for RLC's neighbors and RLC (we learned and will try not to repeat that next year).

Last year, temperatures were already below freezing by mid-October. This earlier possible open date of October 15 will allow RLC to potentially coordinate with CBJ on the closing of the campground (possibly mid-October). This may advert campground residents from moving into downtown or the RLC neighborhood prior to the opening of the CWES. RLC would only open the CWES earlier than the traditional date of November 15 if was in the best interest of the patrons (due to temperatures below freezing and campground closure), RLC neighbors and the Juneau community.

Impact on Parking

RLC has three parking places and one ADA parking place at the church building, and a separate lot at the corner of 10th and D Streets (approximately 15 parking places). Occasional visits by Juneau Police Department (JPD) and Capital City Fire and Rescue (CCFR) vehicles have been accommodated at the existing church lot. As patrons rarely have vehicles, existing parking has been sufficient for CWES staff and other operations, and there has been no adverse impact on street parking.

Impact on Traffic

There has not been any impact on traffic from CWES operations.



Planning Commission

(907) 586-0715
PC_Comments@juneau.org
www.juneau.org/plancomm
155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION NOTICE OF DECISION

Date: November 15, 2021
Case No.: USE2021 0011

Resurrection Lutheran Church
Attn: Bradley Perkins
740 W 10th Street
Juneau, AK 99801

Proposal: Conditional Use Permit to operate an emergency cold weather shelter at Resurrection Lutheran Church.

Property Address: 740 W 10th Street

Legal Description: Casey Shattuck Block 226 Lots 6, 7, and 8

Parcel Code No.: 1C060C260060

Hearing Date: November 9, 2021

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated November 2, 2021, and approved the operation of a cold weather emergency shelter to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. Prior to the opening of the facility, smoke detectors must be installed in the sleeping area and in each of the shelter's restrooms.
2. Prior to the opening of the facility, an alarm must be installed on the emergency exit door in the shelter's sleeping area.
3. If new exterior lights are added to the church building, a lighting plan illustrating location and type of exterior light shall be provided to the Community Development Department.
4. Prior to the opening of the facility, exterior security cameras must be installed and functional.
5. The shelter facility's operating start time will not be before 9:00 P.M. and will end by 6:30 A.M. the next day.

6. The shelter facility can operate from November 1 to May 1.
7. When the shelter facility is operating there must be a minimum of two (2) staff present at all times.
8. The shelter facility will provide a contact number to the surrounding neighbors that will be actively answered during operating hours. The intent of this condition is to provide a way for shelter staff to respond to issues as they arise in the area.
9. This permit will expire on May 1, 2022.

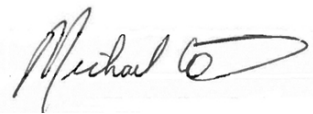
Attachments: November 2, 2021 memorandum from Allison Eddins, Community Development, to the CBJ Planning Commission regarding USE2021 0011.

This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ 01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ 01.50.030 (c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ 49.20.120).

Effective Date: The permit is effective upon approval by the Commission, November 9, 2021.

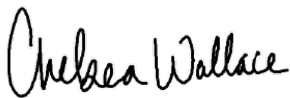
Expiration Date: The permit will expire on May 1, 2022.



Michael Levine, Chair
Planning Commission

November 18, 2021

Date



Filed With City Clerk

November 19, 2021

Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.



**PLANNING COMMISSION STAFF REPORT
CONDITIONAL USE PERMIT USE2021 0011
HEARING DATE: NOVEMBER 9, 2021**

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

DATE: November 2, 2021
TO: Michael LeVine, Chair, Planning Commission
BY: Allison Eddins, Planner II *A. Eddins*
THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Applicant requests a Conditional Use Permit to operate an emergency cold weather shelter at Resurrection Lutheran Church

STAFF RECOMMENDATION: Approval with conditions.

KEY CONSIDERATIONS FOR REVIEW:

- An emergency shelter is a permissible use in the Light Commercial zoning district.
- Church staff have experience managing shelters in Juneau and San Francisco.
- JPD and CBJ staff will work closely with shelter to mitigate off-site impacts.

GENERAL INFORMATION	
Property Owner	Resurrection Lutheran Church
Applicant	Resurrection Lutheran Church
Property Address	740 W 10 th Street
Legal Description	Casey Shattuck Block 226 Lots 6, 7, & 8
Parcel Number	1C060C260060
Zoning	Light Commercial (LC)
Land Use Designation	Commercial (C)
Lot Size	10,800 square feet
Water/Sewer	City water and sewer
Access	W 10 th Street
Existing Land Use	Church
Associated Applications	N/A

ALTERNATIVE ACTIONS:

1. **Amend:** require additional conditions, or delete or modify the recommended conditions.
2. **Deny:** deny the permit and adopt new findings for items 1-6 below that support the denial.
3. **Continue:** to a future meeting date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 49.15.330
 - 49.80

The Commission shall hear and decide the case per 49.15.330(a) Conditional Use Permit. A conditional use is a use that may or may not be appropriate in a particular zoning district according to the character, intensity, or size of that or surrounding uses. The conditional use permit procedure is intended to afford the commission the flexibility necessary to make determinations appropriate to individual sites. The commission may attach to the permit those conditions listed in subsection (g) of this section as well as any further conditions necessary to mitigate external adverse impacts. If the commission determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.

SITE FEATURES AND ZONING



SURROUNDING ZONING AND LAND USES	
North (D5)	Residential
South (LC)	Residential
East (D5)	Residential
West (LC)	Commercial

SITE FEATURES	
Anadromous	None
Flood Zone	Zone X, area of minimal risk
Hazard	None known
Hillside	None
Wetlands	None
Parking District	No
Historic District	Casey Shattuck Historic Neighborhood
Overlay Districts	Downtown Juneau ADOD

AGENCY COMMENTS

Name, Title	Comment Summary
Scott Ciambor, CBJ Housing Officer	Working with shelter managers to ensure the project runs effectively.
Charlie Ford, Chief Building Inspector	Church is structurally sound. Recommending the installation of smoke detectors.
Ed Mercer, Juneau Police Chief	Working with shelter managers to coordinate public safety efforts.
Dan Jager, Fire Marshal	Recommending the installation of smoke detectors.

PUBLIC COMMENTS

CDD conducted a public comment period between October 19, 2021 and November 1, 2021. Property owners within 500 feet of the proposed shelter site were mailed an abutters' notice with instruction on how to comment. A public notice sign was posted on site two weeks prior to the November 9, 2021 public hearing. Resurrection Lutheran Church hosted a neighborhood meeting on Wednesday, October 27, 2021. The meeting was held in the church sanctuary and was a hybrid of virtual and in person. Public comments submitted at the time of writing this staff report can be found in Attachment C.		
Name	Comment Summary	Type of Comment
Judy and Jay Crondahl, Parkshore Condo residents	No objection. Welcome the cold weather emergency shelter (CWES) into the neighborhood.	Email to pc_comments@juneau.org

Barbara Frank, Parkshore Condo resident	No objection. Applauds the church's efforts.	Email to pc_comments@juneau.org
Renee Guerin, Parkshore Condo resident	No objection. In favor of the CWES in her neighborhood.	Email to pc_comments@juneau.org
Jetta Whittaker, Flats resident	No objection. Believes Resurrection Lutheran Church will manage the CWES with compassion and efficiently.	Email to pc_comments@juneau.org
Will Ellis, Parkshore Condo resident	Anticipates increased crimes of opportunity. CWES should be located in an area with a greater police presence.	Email to pc_comments@juneau.org
Bobby Lee, Parkshore Condo resident	No objection. Encourages shelter at this location. Church has experience with people who may use the shelter.	Email to pc_comments@juneau.org
Rob Steedle, Flats resident	No objection. The church is an appropriate location for a CWES. Has not seen negative impacts of the food pantry operated at the church.	Email to pc_comments@juneau.org
Tom Sullivan, First National Bank Manager	Concerned about the close proximity to the ATM and after hours deposit box. Concern for bank customers' safety.	October 27, 2021 neighborhood meeting
Miguel Rohrbacher, Flats resident and direct neighbor	Concerned about shelter staff capacity and the likelihood that a shelter may operate at this location year-round.	October 27, 2021 neighborhood meeting
Emily Kane, Juneau resident	No objection. Supports the warming shelter.	Email to pc_comments@juneau.org
Betsy Lawer, Board Chair and CEO of First National Bank	Concerned about CBJ's lack of a comprehensive plan to address homelessness, the safety of bank customers and employees and the likelihood of vandalism.	Email to pc_comments@juneau.org

BACKGROUND INFORMATION

CBJ Land Use Code (Title 49) – A CWES is considered an "assisted living facility". This is a permissible use in the Light Commercial (LC) zoning district with an approved Conditional Use Permit.

CBJ 49.80 Definitions.

Assisted Living means a facility providing housing and institutional care for people unable to live independently or without assistance. Assisted living includes facilities that provide nursing care services and emergency shelter. Assisted living use that occurs within a single-family dwelling is regulated as a single-family dwelling use.

ANALYSIS

Project Description – Resurrection Lutheran Church is proposing to operate a CWES at 740 W 10th Street. The shelter will primarily serve homeless adults who cannot participate at the Glory Hall or AWARE shelters. Entry to these shelters is typically denied due to intoxication. The CWES is contractually obligated to operate from 11:00 P.M. to 6:30 A.M. November 15 to April 15 on nights when the predicted temperature is 32 degrees or below. These are the minimum requirements. The contract does allow for flexibility on the hours and days of operation. Depending on need and staff availability, the shelter may open early and on days when temperatures are above freezing. Illuminated signs will be posted at the church, City Hall, the Downtown Transit Center, in the Valley, and Lemon Creek letting patrons know when the shelter is open.

The shelter will be managed by Pastor Karen Perkins and Mr. Bradley Perkins. Pastor Perkins has over 25 years of experience operating shelters in San Francisco and Juneau. Mr. Perkins recently served as the General Manager of St. Vincent de Paul and managed the Juneau CWES for the past three years.

Project Design – The church is proposing to run the shelter out of the church social hall. The space is approximately 2,000 square feet providing space for 28 sleeping areas in addition to two restrooms, and a commercial kitchen. Each sleeping area will have a single cot, space for personal belongings and a privacy partition. Sleeping areas will be spread out as a COVID precaution, and COVID testing will be available with assistance from Capital City Fire and Rescue (CCFR). The space has an emergency exit and a manual fire alarm. The CCFR Fire Marshal has requested that smoke detectors be installed in the sleeping area and in the restrooms.

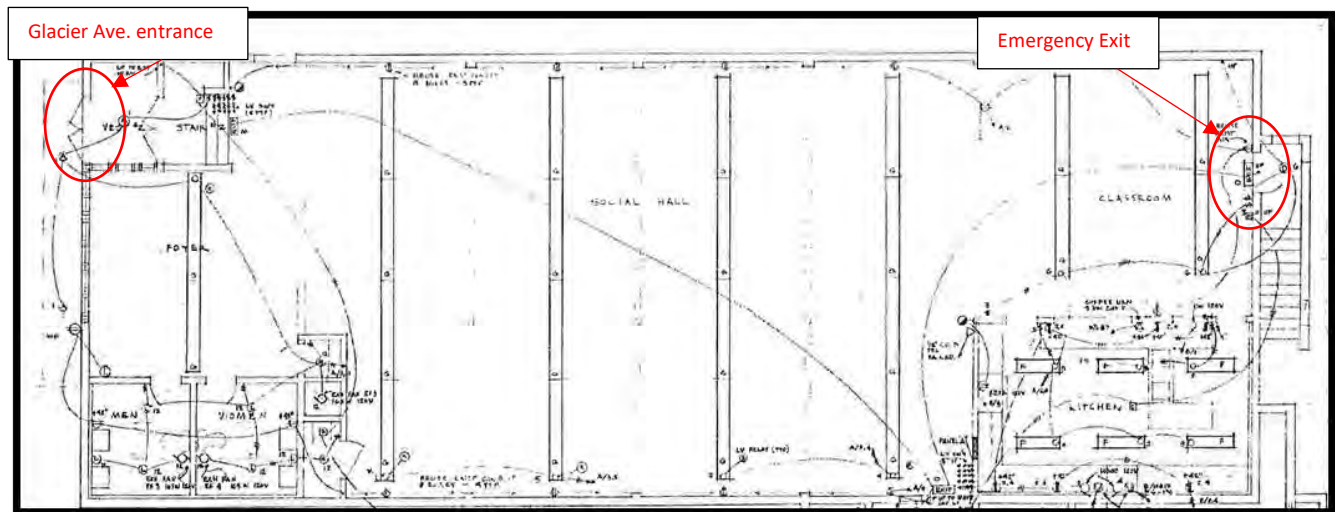


Figure 1: Floor plan of proposed shelter space

Condition #1: Prior to opening the facility, smoke detectors must be installed in the sleeping area and in each of the church restrooms used by the shelter.



Condition #2: Prior to opening the facility, an alarm must be installed on the emergency exit door in the CWES sleep area.

The CWES will operate as a shelter of last resort for patrons who are not permitted to sleep at the Glory Hall or AWARE. This is usually due to intoxication. The CWES will permit intoxicated patrons, but will not allow violent patrons to enter. Upon encountering a violent person, shelter staff will call JPD to deal with the individual. In the past, operators of the CWES have worked closely with CBJ staff and JPD to maximize the health and safety of the patrons and minimize impacts to neighbors. Patrons will be provided with a hot meal before bed, and breakfast in the morning.

Project Site – Resurrection Lutheran Church is located on the northeast corner of W. 10th Street and Glacier Avenue in the Flats neighborhood. The church is located a short distance from multiple bus stops and the downtown fire station. It is located near Harborview Elementary School, First National Bank, downtown businesses, and residences.



Figure 2: Aerial image and surrounding uses

CBJ staff and CWES staff will coordinate efforts to ensure the CWES patrons are safely moved to another shelter location after the CWES shelter closes in the morning. JPD will increase patrols in the area before and during shelter hours, and if needed, officers will help patrons up and out in the morning. CWES staff will provide patrons with bus tokens or cab fare in the morning. Patrons will be encouraged to head to the Glory Hall campus where they will find food and shelter amenities like showers and laundry facilities. Depending on availability, the CWES staff may be able to transport patrons to the Glory Hall in a passenger van leased from St. Vincent de Paul.

The church intends to contract with a cleaning service to sanitize the sleeping space after every use, and to clean up litter and other debris that may accumulate around the site. The church acknowledges that open and frequent communication with the neighbors will be key to the shelter's success at this location and plans to use social media as the primary communication tool.

Traffic – According to CBJ 49.40.300(a)(2), a traffic impact analysis is not required for a project that generates less than 250 average daily trips (ADT). The table below illustrates the estimated ADT based on the Institute of Transportation Engineers *Trip Generation Manual*. Based on the CWES operations of previous years, the only anticipated traffic will be from CWES staff and JPD and CCFR vehicles.

Use	Metric	Trips Generated	Total Trips
Assisted Living	per bed	2.6 trips	73
Total ADTs:			73

Condition: None recommended.

Vehicle Parking & Circulation – The church provides 18 parking spaces and one ADA space. The church does not have a parking requirement since it was constructed in the 1950s, and pre-dates minimum parking requirements. However, the Americans with Disabilities Act does require the church to meet the ADA parking requirement of one space. According to CBJ 49.40, 11 off-street parking spaces are required for the assisted living facility including one ADA space. CBJ 49.40 allows for joint use parking when daytime and nocturnal uses occupy the same or adjacent buildings. This allows the church and the CWES to share the one ADA space. No additional parking is required.

Use	Metric	Spaces Required	Total Spaces
Assisted Living	per bed	0.4 spaces per bed	11
Total Parking Requirement:			11
Off-Street Loading Spaces Required:			0
ADA Accessible Spaces Required:			1

Condition: None recommended.

Proximity to Transit and Non-motorized Transportation – The majority of CWES patrons depend on transit and walking to get around. The church is located within walking distance of numerous bus stops and is on the transit line that serves the Glory Hall neighborhood. The area around the church has well developed pedestrian infrastructure with 5-foot wide sidewalks along both sides of the surrounding right-of-ways.

Condition: None recommended.

Noise – The church is located along a major commercial corridor that abuts a residential neighborhood. Patrons will not be allowed to be disruptive inside or outside of the church. Any noise disruptions will be addressed swiftly, first by CWES or church staff, and if necessary, by JPD.

Condition: None recommended.

Lighting – The church has lights installed along the exterior perimeter of the site. The right-of-ways around the church, including the alley, have streetlights. All exterior lights are required to be full cut-off so as not to produce glare onto surrounding properties. Based on need, new lights may be added.

Condition #3: If new exterior lights are added to the church building, a lighting plan illustrating location and type of exterior light shall be provided to the Community Development Department.

Public Health, Safety, and Welfare – The following paragraphs were taken from the staff report written by Planner Gallion for the Conditional Use Permit for the new Glory Hall facility (USE2020 0008):

It is difficult to procure reliable statistics on crime in the area of Emergency Housing Shelters. Whatever your position, you can find the statistics to bear it out. The Juneau Police Department does not keep statistics on crimes involving people experiencing homelessness. This mindful decision on their part mitigates classism in law enforcement. A victim is a victim, and a perpetrator is a perpetrator, regardless of their socioeconomic conditions.

A survey of literature indicates agreement that the crimes associated with homelessness tend to be nuisance crimes, among them panhandling, loitering, trespass, shoplifting, and public intoxication. Some such crimes can be mitigated through Emergency Housing Shelter accommodations. For instance, day shelter operations can reduce loitering complaints. Note that while an Emergency Housing Shelter might establish “good neighbor” rules aiming to reduce impacts on neighbors, such rules can run afoul of the Fair Housing Act (Title VIII of the Civil Rights Act). Good neighbor rules cannot set terms, conditions or privileges for the provision of housing that would not apply to a citizen at large. For instance, you cannot deny housing to an individual if they go to an establishment (say, a neighboring bar) that the rest of the population can go to without jeopardizing their housing. Another example might regard loitering. If the population at large may stand in front of a downtown business, a shelter patron cannot be denied housing for doing just that.

Another challenge for neighbors is untreated mental illness. An individual cannot be forced into treatment unless a danger to themselves or others, or unable to function independently. While a social worker can convince someone to go in for a mental health evaluation, and JPD can compel someone to go in, neither can force a mental health hold. A mental health professional must make that determination, and have approval of a judge [AS 47.30.700]. The length of an involuntary hold is narrowly tailored in favor of the individual’s civil liberties. A 1975 Supreme Court ruling (O’Connor v. Donaldson) had established standards for involuntary committal. There was another landmark case in 1987 helped establish the stringent standards for involuntary committal that we have today.

The public has expressed concerns about the CWES in the neighborhood. CWES managers and CBJ staff are aware of these concerns. Chief Mercer and Deputy Chief Campbell with JPD have spoken with the CWES managers and are confident that the CWES can be effectively managed. Open and frequent communication with the public will be key to the CWES's success in this location. Social media will be the primary method of communication.

As mentioned previously, the church will install cameras along the perimeter of the building and these cameras

will be monitored in real time by CWES staff during operating hours. The church will also contract with a cleaning service to clean up any litter or debris that is left outside.

The structure has been inspected by the CBJ Building Official and Fire Marshal. The structure has been found to be safe for human occupation. The Fire Marshal is requesting that smoke detectors be installed in the sleeping area and restrooms. Staff is recommending that as Condition #1.

Staff anticipates the general welfare and safety of the CWES patrons to increase once the CWES is operational.

Condition: None recommended.

Property Value or Neighborhood Harmony – CBJ and the CWES managers are committed to working with and communicating frequently with the neighborhood businesses and residents. Some have expressed concern that property crime, theft, and robbery may increase with the CWES opening. JPD has been and will continue to be in communication with the CWES managers to address any criminal or neighborhood disturbance issues. Staff does anticipate calls from the neighborhood to JPD to increase once the CWES is open. Staff anticipates increase police patrols in the neighborhood.

CBJ's Assessor's Office does not consider proximity to Emergency Housing Shelters in property assessments. Locating the shelter in the area cannot be assumed to have negative impacts on property values.

Condition: None recommended.

CONFORMITY WITH ADOPTED PLANS

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	4	36	Policy 4.1	To facilitate the provision and maintenance of safe, sanitary, and affordable housing for CBJ Residents.
	4	36	4.1 – SOP 1	Fund, or assist in securing funding for, emergency shelters, transitional housing, permanent supportive housing, and appropriate supportive services for people who are homeless or near homeless or rent overburdened, particularly families and unaccompanied youth, and an increasing aging population.
	4	37	4.1 – IA7	Facilitate the provision of special needs and adaptive housing and supportive services in residential neighborhoods that are readily accessible to public transit, shopping, public amenities, and supportive services.
	13	213	Policy 13.3	To promote quality medical and social services in the CBJ to ensure the safety, health, well-being, and self-sufficiency of its residents.

PLAN	Chapter	Page No.	Item	Summary
	13	213	13.3 SOP1	Provide public funds for programs for the indigent and for high-risk groups such as youth, the elderly, disabled persons, and homeless persons and families.
	13	213	13.3 – IA3	Provide transportation assistance to homeless clients, including high school students, to support transport for job search efforts, to shelter, and for medical and social service care.

Note that Juneau's Housing Action Plan (2016) focus was "workforce housing" rather than homelessness.

FINDINGS

Conditional Use Permit Criteria – 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?

Analysis: No further analysis needed.

Finding: Yes. 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?

Analysis: The application is for a Cold Weather Emergency Shelter (CBJ 49.80 *Assisted living*). The use is listed at CBJ 49.25.300, Section 7.200 for the Light Commercial zoning district.

Finding: Yes. The requested permit is appropriate according to the Table of Permissible Uses.

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

Analysis: The proposed project does comply with the other requirements of Title 49 and the CBJ Building and Fire Code.

Finding: Yes. With the recommended conditions, the proposed development will comply with Title 49, the CBJ Building Code and the CBJ Fire Code.

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

Analysis: This finding hinges on the idea of "materially endanger." "Materially" means "significant or substantial." "Endanger" means "to bring into danger or peril."

Staff does anticipate the number of police interactions in the neighborhood to increase. The number of police patrols in the neighborhood is expected to increase. It is anticipated that the safety and welfare of the CWES users will increase.

Finding: No. With appropriate conditions, the requested permit for a CWES in a Light Commercial zoning district will not materially endanger the 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?*

Analysis: CBJ Assessor does not consider proximity to an emergency housing shelter when assessing property.

Finding: No. There is no evidence to suggest that with appropriate conditions, the requested permit for a CWES in a Light Commercial zoning district will substantially decrease the value of or be out of harmony with the property in the neighboring area.

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

Analysis: No further analysis needed.

Finding: Yes. The proposed cold weather emergency shelter, with the recommended conditions, will be in general conformity with the 2013 CBJ Comprehensive Plan.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow the development of a cold weather emergency shelter to be located at Resurrection Lutheran Church.

The approval is subject to the following conditions:

1. Prior to opening the facility, smoke detectors must be installed in the sleeping area and in each of shelter restrooms.
2. Prior to opening the facility, an alarm must be installed on the emergency exit door in the cold weather emergency shelter sleep area.
3. If new exterior lights are added to the church building, a lighting plan illustrating location and type of exterior light shall be provided to the Community Development Department.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Agency Comment
Attachment C	Public Comments
Attachment D	Abutters Notice



Planning Commission

(907) 586-0715

PC_Comments@juneau.org

www.juneau.org/community-development/planning-commission

155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION NOTICE OF DECISION

Date: April 29, 2022
Case No.: USE2022 0005

Resurrection Lutheran Church
Attn: Bradley Perkins
740 W. 10th Street
Juneau, AK 99801

Proposal: Modification (extension) of Conditional Use Permit USE2021 0011 for a cold weather emergency shelter at Resurrection Lutheran Church.

Property Address: 740 W. 10th Street

Legal Description: Casey Shattuck Block 226 Lots 6, 7, & 8

Parcel Code No.: 1C060C260060

Hearing Date: April 26, 2022

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated April 18, 2022, and approved a modification to Conditional Use Permit USE2021 0011 to be conducted as described in the project description and project drawings submitted with the application as amended:

1. Condition 9: The permit will expire on June 1, 2024.

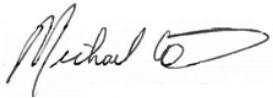
Attachments: April 18, 2022, memorandum from Jennifer Shields, Community Development, to the CBJ Planning Commission regarding USE2022 0005.

This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ 01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ 01.50.030 (c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ 49.20.120).

Effective Date: The permit is effective upon approval by the Commission, April 26, 2022.

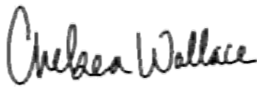
Expiration Date: The permit will expire on June 1, 2024.



Michael LeVine, Chair
Planning Commission

May 1, 2022

Date



Filed With City Clerk

May 2, 2022

Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.



**PLANNING COMMISSION STAFF REPORT
CONDITIONAL USE PERMIT USE2022 0005
HEARING DATE: APRIL 26, 2022**

(907) 586-0715

CDD_Admin@juneau.org

www.juneau.org/community-development

155 S. Seward Street • Juneau, AK 99801

DATE: April 18, 2022

TO: Michael LeVine, Chair, Planning Commission

BY: Jennifer Shields, Planner II *Jennifer L. Shields*

THROUGH: Jill Maclean, AICP, Director

PROPOSAL: Applicant requests a modification (extension) of Conditional Use Permit USE2021 0011 for a cold weather emergency shelter at Resurrection Lutheran Church.

STAFF RECOMMENDATION: Approval with original conditions #1 through #8, and repealing condition #9.

KEY CONSIDERATIONS FOR REVIEW:

- An emergency shelter is a permissible use in the Light Commercial zoning district.
- Church staff have experience managing shelters in Juneau and San Francisco.
- Juneau Police Department and CBJ staff have worked closely with the shelter to mitigate off-site impacts.
- Received praise and support from other social service agencies and its neighbors, including those initially opposed to the Conditional Use Permit.

ALTERNATIVE ACTIONS:

1. **Amend:** require additional conditions, or delete or modify the recommended conditions.
2. **Deny:** deny the permit and adopt new findings for items 1-6 below that support the denial.
3. **Continue:** to a future meeting date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 49.15.330 (CUP)

GENERAL INFORMATION	
Property Owner	Resurrection Lutheran Church
Applicant	Resurrection Lutheran Church
Property Address	740 W 10 th Street
Legal Description	Casey Shattuck Block 226 Lots 6, 7, & 8
Parcel Number	1C060C260060
Zoning	Light Commercial (LC)
Land Use Designation	Commercial (C)
Lot Size	10,800 square feet
Water/Sewer	City water and sewer
Access	West 10 th Street
Existing Land Use	Church
Associated Applications	USE2021 0011

The Commission shall hear and decide the case per 49.15.330(a) Conditional Use Permit. A conditional use is a use that may or may not be appropriate in a particular zoning district according to the character, intensity, or size of that or surrounding uses. The conditional use permit procedure is intended to afford the commission the flexibility necessary to make determinations appropriate to individual sites. The commission may attach to the permit those conditions listed in subsection (g) of this section as well as any further conditions necessary to mitigate external adverse impacts. If the commission determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.

SITE FEATURES AND ZONING



SURROUNDING ZONING AND LAND USES

North (D5)	Residential
South (LC)	Residential
East (D5)	Residential
West (LC)	Commercial

SITE FEATURES

Anadromous	None
Flood Zone	Zone X, area of minimal risk
Hazard	None known
Hillside	None
Wetlands	None
Parking District	No
Historic District	Casey Shattuck Historic Neighborhood
Overlay Districts	Downtown Juneau ADOD

BACKGROUND INFORMATION

The Planning Commission, at its regular meeting on November 15, 2021, approved USE2021 0011 (**Attachments B and C**) for the operation of a cold weather emergency shelter at Resurrection Lutheran Church, subject to the following conditions:

1. Prior to the opening of the facility, smoke detectors must be installed in the sleeping area and in each of the shelter's restrooms. **Complete.**
2. Prior to the opening of the facility, an alarm must be installed on the emergency exit door in the shelter's sleeping area. **Complete.**
3. If new exterior lights are added to the church building, a lighting plan illustrating location and type of exterior light shall be provided to the Community Development Department. **N/A.**
4. Prior to the opening of the facility, exterior security cameras must be installed and functional. **Complete.**
5. The shelter facility's operating start time will not be before 9:00 P.M. and will end by 6:30 A.M. the next day. **Ongoing.**
6. The shelter facility can operate from November 1 to May 1. **Ongoing.**

7. When the shelter facility is operating, there must be a minimum of two (2) staff present at all times. **Ongoing.**
8. The shelter facility will provide a contact number to the surrounding neighbors that will be actively answered during operating hours. The intent of this condition is to provide a way for shelter staff to respond to issues as they arise in the area. **Ongoing.**

This permit will expire on May 1, 2022. (Requesting modification to repeal).

Since the Conditional Use Permit is set to expire, the applicant is requesting a modification of USE2021 0011. The applicant may seek further changes in the future, however, at this time prefers a modification to keep this USE permit in good standing.

ANALYSIS

Following approval of USE2021 0011 last November, CBJ executed a cold weather emergency shelter and Operations contract with the applicant (**Attachment D**). Since that time, the applicant has met the conditions of approval and reports the following as detailed in their application narrative (**Attachment A**) and briefly summarized below:

- Operated continuously.
- No negative feedback received from community or neighbors.
- Usage is generally at capacity.
- Staffing has remained consistent and will be returning.
- Received praise and support from other social service agencies and its neighbors, including those who initially opposed the Conditional Use Permit.

AGENCY REVIEW

CDD contacted the Juneau Police Department (JPD) regarding this application and received the following response from Deputy Chief David Campbell on April 18, 2022: "JPD has no concerns with Resurrection Lutheran Church maintaining its conditional use permit to operate the warming shelter. Let me know if there is anything specific you need on my end."

PUBLIC COMMENTS

CDD conducted a public comment period between April 13, 2022 and April 22, 2022. Property owners within 500 feet of the proposed shelter site were mailed an abutters notice with instructions on how to comment (**Attachment E**). In addition, a public notice sign was posted on site two weeks prior to the April 26, 2022 public hearing (**Attachment F**). No public comments have been received as of the date of this staff report.

FINDINGS

Conditional Use Permit Criteria – 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?*

Analysis: No further analysis needed.

Finding: Yes. 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?*

Analysis: The application is for a cold weather emergency shelter (CBJ 49.80 Assisted living). The use is listed at CBJ 49.25.300, Section 7.200 for the Light Commercial zoning district.

Finding: Yes. The requested permit is appropriate according to the Table of Permissible Uses.

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

Analysis: The proposed project does comply with the other requirements of Title 49 and the CBJ Building and Fire Codes.

Finding: Yes. With the recommended conditions, the proposed development will comply with Title 49, the CBJ Building Code and the CBJ Fire Code.

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

Analysis: This finding hinges on the idea of "materially endanger." "Materially" means "significant or substantial." "Endanger" means "to bring into danger or peril." Since approval, the cold weather emergency shelter has mitigated concerns and promptly responded to complaints from the community or neighbors. The cold weather emergency shelter has maintained communication with neighbors and been available as needed. JPD has no concerns with Resurrection Lutheran Church continuing operations of the cold weather emergency shelter.

Finding: No. With appropriate conditions, the requested permit for a cold weather emergency shelter in a Light Commercial zoning district will not materially endanger the 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?*

Analysis: CBJ Assessor does not consider proximity to an emergency housing shelter when assessing property.

Finding: No. There is no evidence to suggest that with appropriate conditions, the requested permit for a cold weather emergency shelter in a Light Commercial zoning district will substantially decrease the value of or be out of harmony with the property in the neighboring area.

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

Analysis: No further analysis needed.

Finding: Yes. The proposed cold weather emergency shelter, with the recommended conditions, will be in general conformity with the 2013 Comprehensive Plan.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit modification repealing condition #9:

1. This permit will expire on May 1, 2022. (Condition #9).

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	USE2021 0011 Notice of Decision
Attachment C	USE2021 0011 Staff Report with Attachments
Attachment D	CBJ Contract for a Cold Weather Emergency Shelter
Attachment E	Abutters Notice
Attachment F	Public Notice Sign



Resurrection Lutheran Church
740 West Tenth Street
Juneau, Alaska 99801
office (907) 586 2380
fax (907) 586 6225
office email rlcoffice@ak.net
website www.rlcjuneau.org

August 28, 2022

City & Borough of Juneau
Attn: Scott Ciambor, Planning Manager
Community Development Department
55 S. Seward St.
Juneau, AK 99801

Regarding: AMENDMENT 1 TO MR#22-198 CONTRACT FOR COLD WEATHER EMERGENCY SHELTER AND OPERATIONS

Invoice

As per PART III: CONTRACT AMENDMENT

3. Compensation & Terms of Payment (Section 3 of Appendix A the original Contract) is amended to read as follows:
- a. In consideration for the scope of services identified in the original Contract as hereby amended, CBJ will pay Contractor in an amount not to exceed two hundred thousand dollars (\$200,000). Any requests for additional funding must be requested through the CBJ Chief Housing Officer and approved in writing prior to the expenditure.
 - b. CBJ shall provide Contractor one hundred thousand dollars (\$100,000) upon execution of this Amendment.

Sincerely,

Bradley Perkins
Manager, [RLC Warning Shelter](#)
[Resurrection Lutheran Church](#)
740 W 10th Street, Juneau, AK 99801
808 782 5795 direct | 907 586 2380 church office
manager@warmingshelter.org | [Zoom](#)

cc: Rev. Karen Perkins, RLC Pastor
Randy Sutak, RLC President
Kristin Cadigan McAdoo, RLC Treasurer

**AMENDMENT 1 TO CONTRACT MR 22-198
FOR COLD WEATHER EMERGENCY SHELTER & OPERATIONS**

PART I: PARTIES

This contract amendment is between the City and Borough of Juneau, Alaska, a municipal corporation in the State of Alaska, hereafter “City” or “CBJ,” and Resurrection Lutheran Church, a nonprofit corporation organized under the laws of the State of Alaska with its principal place of business in Juneau, Alaska, and licensed to do business in the State of Alaska, hereafter “Contractor.”

PART II: CONTRACT BEING AMENDED

This is Amendment No. 1 to the underlying, original Contract MR 22-198, with an effective date of November 23, 2021. The November 23, 2021 Contract and all attachments thereto are incorporated by this reference. Except for the modifications set forth below, the November 23, 2021 Contract remains unchanged and in full force and effect.

PART III: CONTRACT AMENDMENT

This amendment shall take effect upon signature by CBJ.

The contract is amended as follows:

1. Scope of Work (Section 1 of Appendix A of the original Contract) is amended to read in pertinent part as follows:

Planning

- Contractor may operate the cold weather emergency shelter from the date of the closure of the CBJ homeless campground in the late fall/early winter 2022 to its opening in late winter/early spring 2023, if Contractor deems in the best interests of clients, staff, neighbors and community, but only to the extent Contractor has received a further amended Conditional Use Permit from the CBJ Planning Commission allowing it to do so.

Operations

- Contractor may operate the cold weather emergency shelter before 9:00 pm and later than 6:30 am, if it deems in the best interests of clients, staff, neighbors and community, but only to the extent it has received a further amended Conditional Use Permit from the CBJ Planning Commission allowing it to do so.

2. Term (Section 2 of Appendix A of the original Contract) is amended to read as follows:

The term of this contract is extended from its original expiration date of June 30, 2022, and shall hereby be in effect until June 30, 2023. This Amendment extending the term

of Contract MR 22-198 is contingent upon Contractor having received an amended Conditional Use Permit from the CBJ Planning Commission as the previous permit No. USE2021-0011 expired on May 1, 2022.


3. Compensation & Terms of Payment (Section 3 of Appendix A the original Contract) is amended to read as follows:
- a. In consideration for the scope of services identified in the original Contract as hereby amended, CBJ will pay Contractor in an amount not to exceed two hundred thousand dollars (\$200,000). Any requests for additional funding must be requested through the CBJ Chief Housing Officer and approved in writing prior to the expenditure.
 - b. CBJ shall provide Contractor one hundred thousand dollars (\$100,000) upon execution of this Amendment. Contractor shall provide CBJ with proper documentation of services provided as part of the scope of work and expenses incurred under USE2021-0011. The remaining funds will be paid in monthly installments of thirty-three thousand, three hundred thirty-three dollars and thirty-three cents (\$33,333.33) on February 15, 2023, March 15, 2023, and April 15, 2023. A final report will be provided to the CBJ within 30 days after shelter operations cease. Documentation in the final report must include:
 - Dates the shelter was open.
 - Staffing information - dates and hours worked
 - HMIS data reflecting shelter attendance
 - Training documentation - reimbursement will be for cost of training and hourly wages for staff attending. Training must be approved and complete prior to reimbursement.

Contractor has provided an updated Certificate of Insurance indicating Contractor has obtained the required insurance, including one million dollars (\$1,000,000) in Workers Compensation & Employers Liability, attached hereto as Exhibit 1.


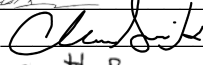
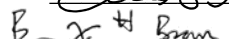
PART IV: CONTRACT EXECUTION

CBJ and Contractor agree and sign below. This Amendment is not effective until signed by CBJ. Contractor represents that the person signing below on its behalf has the authority to do so and that it is a valid and binding contract enforceable in accordance with its terms.

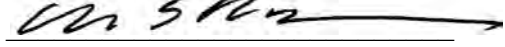
CBJ:

by: 
for Duncan Rorie Watt
City & Borough of Juneau Manager

Date: August 26, 2022

Content Approved by: 
Risk Management Review: 
Form Approved by:  26 August 2022

Contractor:

by: 
Bradley Perkins
Warming Shelter Manager
Resurrection Lutheran Church

Date: August 25, 2022

Robert Barr, Deputy City Manager
Chelsea Swick, Risk Management
Benjamin Brown, Law Department



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

08/24/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Northern Advantage Insurance Leaders, LLC P.O. Box 870253 Wasilla AK 99687		CONTACT NAME: Jennifer Adams PHONE (A/C, No, Ext): (907) 357-6245 E-MAIL ADDRESS: jadams@northernadvantageinsurance.com FAX (A/C, No):	
INSURED Resurrection Lutheran Church Of Juneau Alaska 740 W 10TH ST JUNEAU AK 99801-1822		INSURER(S) AFFORDING COVERAGE INSURER A: CHURCH MUTUAL INSURANCE CO INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 18767	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	Y	0310921-02-435364	09/19/2022	09/19/2023	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000	
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			0310921-02-435364	09/19/2022	09/19/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$	
	UMBRELLA LIAB EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$	
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	Y	0310921-07-435797	09/19/2022	09/19/2023	PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Evidence of Liability Insurance for Cold Weather Emergency Shelter Operations from October 15, 2022 through April 15, 2023 at Resurrection Lutheran Church of Juneau Alaska, 740 W 10th Ave, AK 99801-1822. Commercial General Liability Additional Insured = City and Borough of Juneau, subject to the coverage provided by the referenced policy. A220 A2029 WC 00 0313

CERTIFICATE HOLDER

CANCELLATION

City and Borough of Juneau 155 S Seward St Juneau AK 99801	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
--	---

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the General Liability Coverage Part.

The following is added to the General Liability Additional Provisions Form.

A. ADDITIONAL INSURED - DESIGNATED PERSON OR ORGANIZATION

1. Paragraph C, Who Is An Insured, is amended to include as an insured the person or organization shown in the applicable schedule in the Declarations Page but only with respect to "bodily injury," "property damage," "personal injury," or "advertising injury" liability arising out of your operations or premises owned by or rented to you.

Refer to the Declarations Page to determine the insured person or organization.

Attachment D - CBJ Contract for a Cold Weather Emergency Shelter

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY

**WAIVER OF TRANSFER OF RIGHTS OF RECOVERY
AGAINST OTHERS TO US**

This endorsement modifies insurance provided under the **GENERAL LIABILITY COVERAGE PART**.

The following change is added to the GENERAL LIABILITY Conditions, but only for the organizations this endorsement applies to.

SCHEDULE

Name Of Person Or Organization:	City and Borough of Juneau 155 S Seward St Juneau, AK 99801
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

The following is added to Paragraph **8. Transfer Of Rights Of Recovery Against Others To Us of Section G – Conditions:**

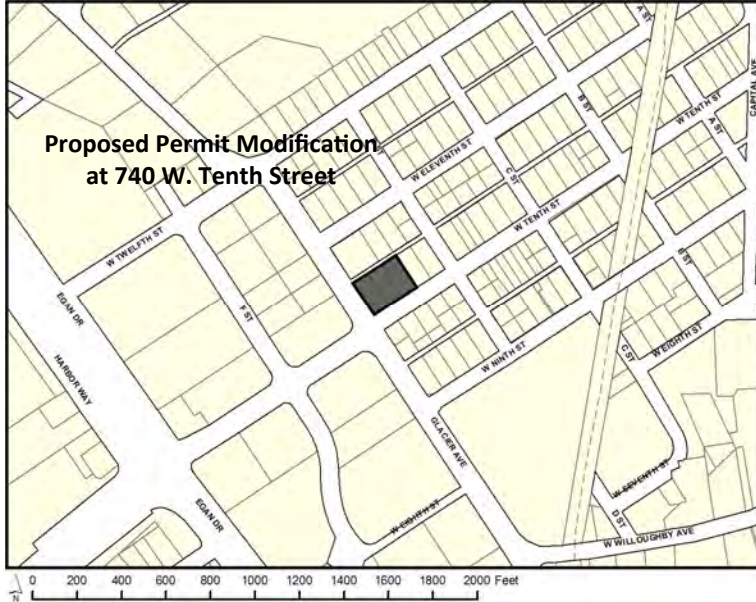
We waive any right of recovery we may have against the person or organization shown in the Schedule above because of payments we make

for injury or damage arising out of your ongoing operations or "your work" done under a contract with that person or organization and included in the "products-completed operations hazard". This waiver applies only to the person or organization shown in the Schedule above.

Attachment D - CBJ Contract for a Cold Weather Emergency Shelter

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission
Your Community, Your Voice



155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for **the following two modifications of a Conditional Use Permit (USE2022 0005) for a cold weather emergency shelter at Resurrection Lutheran Church in a Light Commercial Zone:**

Modification #1: Newly proposed hours of operation of 8:00 P.M.—7:30 A.M. (current hours: 9:00 P.M. — 6:30 A.M.)

Modification #2: Newly proposed operation start date of October 15 (current start date is November 1).

PROJECT INFORMATION:

Project Information can be found at:

<https://juneau.org/community-development/short-term-projects>

PLANNING COMMISSION DOCUMENTS:

Staff Report expected to be posted **Monday, September 19, 2022** at

<https://juneau.org/community-development/planning-commission>

Find hearing results, meeting minutes, and more here, as well.

Now through Sept. 5

Comments received during this period will be sent to the Planner, **Jennifer Shields**, to be included as an attachment in the staff report.

Sept. 6 — noon, Sept. 23

Comments received during this period will be sent to Commissioners to read in preparation for the hearing.

HEARING DATE & TIME: 7:00 P.M., Sept. 27, 2022

This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting <https://juneau.zoom.us/j/86811128323> and use the Webinar ID: 868 1112 8323 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above).

You may also participate in person in City Hall Assembly Chambers, 155 S. Seward Street, Juneau, Alaska.

Sept. 28

The results of the hearing will be posted online.

FOR DETAILS OR QUESTIONS,

Phone: (907)586-0753 ext. 4139 ♦

Email: pc_comments@juneau.org

Mail: Community Development, 155 S. Seward Street, Juneau AK 99801

Printed August 29, 2022

Case No.: USE2022 0014

Parcel No.: 1C060C260060

CBJ Parcel Viewer: <http://epv.juneau.org>



Attachment F - Public Notice Sign Photo

From: Dale Gosnell <bert.silvestris@gmail.com>
Sent: Friday, September 2, 2022 7:48 PM
To: PC_Comments
Subject: Cold weather emergency shelter modifications

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

To the planning commission:

I live on D Street, two blocks from the Resurrection Lutheran Church.

I support the two modifications for the operation of the cold weather emergency shelter. It only makes sense that the shelter opens on October 15, the same day that the CBJ Parks and Recreation operated Mill Campground closes. The new start date would provide a secure and safe place for the campers just as the cold rains of fall are in full force.

Expanding the hours of operation to 8:00 pm -7:30 am would provide welcome refuge for people who are unsheltered and have nowhere else to go during the long, cold winter nights.

Thank you.

Sincerely,

Dale Gosnell

From: Lise Paradis <liseparadis58@gmail.com>
Sent: Monday, September 5, 2022 9:33 AM
To: PC_Comments
Subject: Invitation to comment

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

I reside on D St. in the flats close to the Resurrection Lutheran church where the cold weather emergency shelter will be operating as a winter shelter for a second year.

I am in favor of both 1) and 2) modifications increasing the hours of operation and the start date.

I read in this weekend's Juneau Empire an excellent detailed description of the summer shelter at the Mill campground. I learned that the campground closes on October 15th.

Modification 2 would align with the ending date.

And I am in favor of increasing the hours as it seems only fair in the winter weather to give the residents as much time indoors as reasonable.

Sincerely
Lise Paradis