



**PLANNING COMMISSION STAFF REPORT  
CONDITIONAL USE PERMIT USE2023 0013  
HEARING DATE: NOVEMBER 14, 2023**

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www.juneau.org/community-development  
155 Heritage Way • Juneau, AK 99801

**DATE:** November 6, 2023  
**TO:** Michael LeVine, Chair, Planning Commission  
**BY:** Irene Gallion, Senior Planner  
Forrest Courtney, Planner I  
**THROUGH:** Jill Maclean, Director, AICP

**PROPOSAL:** Up to 4,000 square feet for a culture and learning center, focusing on language and traditional food with up to 1,000 square feet covered outdoor area.

**STAFF RECOMMENDATION:** Approval with conditions

**KEY CONSIDERATIONS FOR REVIEW:**

- Project requires a Hillside Endorsement from the Commission.
- Parking modifications are proposed under separate cases. If those modifications are denied, six parking spaces will be required.

INFORMATION	
Property Owner	Douglas Indian Association (DIA)
Applicant	Kamal Lindoff
Property Address	0 St. Ann's Avenue
Legal Description	USMS 164 SE FR
Parcel Number	2D040T480011
Zoning	D18 Multi-family
Land Use Designation	Medium Density Residential (MRD)
Lot Size	13,366 square feet / 0.3068 acres
Water/Sewer	CBJ
Access	St. Ann's Avenue
Existing Land Use	Vacant
Associated Applications	VAR23-02, PWP23-03

**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
  - 49.25.300
  - 49.35.510
  - 49.40.300
  - 49.70.210
  - 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 procedures 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.

*Fostering excellence in development for this generation and the next.*

**SITE FEATURES AND ZONING**



SURROUNDING ZONING AND LAND USES	
Northeast (RR)	Savikko Park
Southeast (D5)	Treadwell Mine Historic Park
Southwest (D5)	Residential
Northwest (D18)	Residential

SITE FEATURES	
Anadromous	None.
Flood Zone	None.
Hazard	Not mapped.
Hillside	Yes.
Wetlands	None.
Parking District	None.
Historic District	None.
Overlay Districts	None.

**BACKGROUND INFORMATION**

**Project Description** – The applicant proposes a 3,800 square foot cultural learning center for preschool through adult programming (**Attachment A**). Learning will support the tribal organization’s food sovereignty and food source stability program, and Alaska native arts. A teaching kitchen and a computer lab will support the cultural education classroom. The structure includes offices and studios for operations staff, visiting educators and artists. Common areas foster casual interaction. The outdoor spaces will host interpretive material, connecting guests to the landscape.

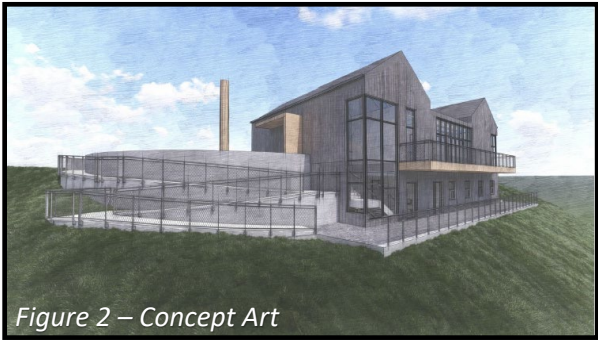


Figure 2 – Concept Art



Figure 3 – Concept Art

The project is considered compatible with D18 zoning under CBJ 49.25.300 – Section 5.300 – Libraries, museums, art galleries. Staff has used “museums” to represent the project in these analyses.

## Background –

The lot was established through the platting of the abutting lots to the north and the south in 1966 and 1996, respectively. AJT Mining Industries transferred the land into private hands in the 1990s. The Douglas Indian Association purchased the property in 2021.

The DIA Learning Center will overlook traditional Tlingit T’aaku Kwáan lands. Traditional lands are currently held by the CBJ and the U.S. Department of Interior. Uses include a sports center and Coast Guard operations.

T’aaku Kwáan families inhabited the tidewaters to the Northwest of the proposed project from the 1880s. By the 1940s, members of the Douglas Indian Village (the Village), a federally protected enclave, wintered in approximately 20 structures on pilings. In 1946, the Alaska Native Service petitioned the City of Douglas and the Army Corps of Engineers (the Corps) for aid in the construction of a small boat harbor adjoining the Village. The Corps committed to dredge the harbor, backfill the tidelands where the Village was situated, and rebuild the Village. In 1962, the Village was destroyed via controlled burn, and a boat harbor was constructed. Tlingit tribal members became dispersed.



*Figure 4– September 2023  
Photograph of Rear of Lot*

Item	Summary
<b>U.S. Mineral Survey No. 164</b>	1891 Plat for Lot 101.
<b>1996 Quitclaim Deed AJT to Russo</b>	Transfer of the Southeast Fraction of USMS 164 from AJT Mining Industries Inc. to Guy and Grace Russo.).
<b>1996 Quitclaim Deed G. Russo to L. Russo</b>	Transfer of the Southeast Fraction of USMS 164 from Guy and Grace Russo to Larry Russo.
<b>Storm Drainage Easement (1998)</b>	Perpetual easement for the purpose of constructing, maintaining, and improving a storm drainpipe and catch basin with appurtenances, 10 feet in width.
<b>1999 Memorandum</b>	Memo from Joe Buck, P.E. Engineering Director to CDD Director Cheryl Eastwood and CBJ Assessor Tom Pitts describing how the Southeast Fraction of USMS 164 was created.
<b>2002 Report to Douglas Indian Association</b>	A formal report by Andy Luff for the Montana Indian Law Resource Center examining the 1962 destruction of the Douglas Indian Village.
<b>2006 Zoning Map</b>	Property re-zoned D-5.
<b>AME2016-0018</b>	Proposed amendment to Comprehensive Plan Map from Natural Area Park (NP) to MDR.
<b>ORD2016-41(b)</b>	Property rezoned D-5 to D-18.
<b>ORD2016-45</b>	Comprehensive Plan Boundary change from NP to MDR.

<b>MIP2017 0011</b>	Create Lots 1 & 2 within the Southeast Fraction of USMS 164. Case closed due to inactivity.
<b>Warranty Deed 2021</b>	Sale of the lot from Russo to Douglas Indian Association
<b>PAC2023-020</b>	Pre-Application Conference for Douglas Indian Association Learning Center.
<b>As-Built/Topo Survey</b>	2023 As-Built/Topo Survey "provided to illustrate the topographic challenge."

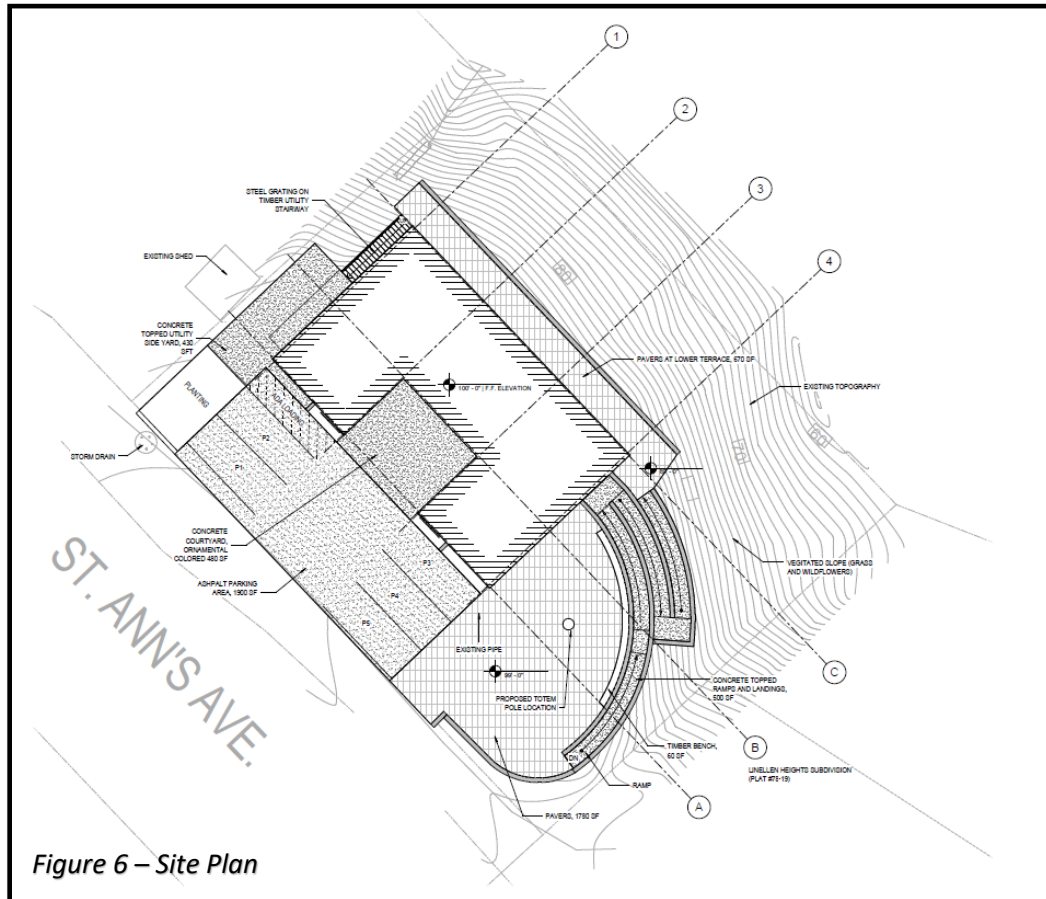
### **ZONING REQUIREMENTS**

<b>Standard</b>		<b>Requirement</b>	<b>Proposed</b>	<b>Existing</b>	<b>Code Reference</b>
<b>Lot</b>	Size	5,000 square feet (sf)	13,366sf	13,366sf	49.25.400
	Width	50'	133.5 feet	133.5 feet	49.25.400
<b>Setbacks</b>	Front	20'	29 feet*	Vacant	49.25.400
	Rear	10'	22 feet*	Vacant	49.25.400
	Side	5'	10 feet*	Vacant	49.25.400
	Street Side	13'	Not applicable	Vacant	49.25.400
<b>Lot Coverage Maximum</b>		50%/50%	35%	Vacant	49.25.400
<b>Vegetative Cover Minimum</b>		30%	44%*	Vacant	49.50.300
<b>Height</b>	Permissible	35'	Two-story	Vacant	49.25.400
	Accessory	25'	Not applicable	Vacant	49.25.400
<b>Maximum Dwelling Units</b>		18 units per acre	0	Vacant	49.25.500
<b>Use</b>		Multi-Family	5.300, Libraries, museums, art galleries	Vacant	49.25.300

*\*Measurement scaled from submitted plans.*



## SITE PLAN



## ANALYSIS

**Project Site** – The lot was used for material disposal before purchase, creating a steep grade and unvegetated portions of the site.

A 10-foot wide storm drainage easement follows the northwest lot line.

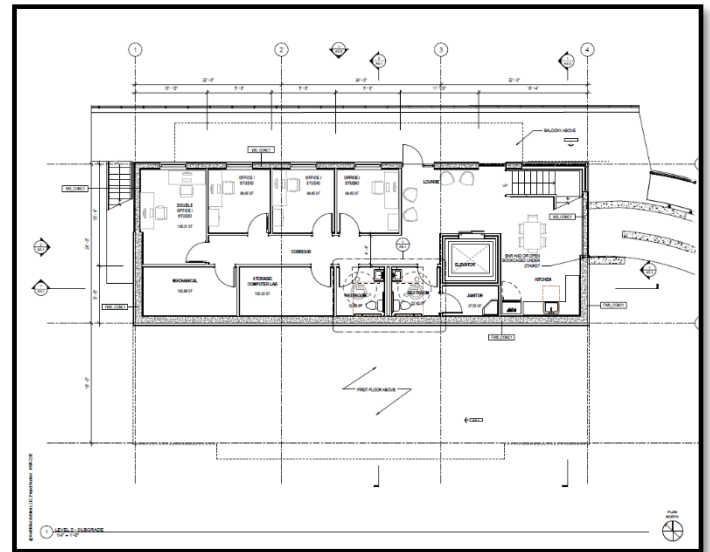
The Alaska Department of Environmental Conservation (DEC) has identified the contaminated site Treadwell Mine Complex (Hazard ID 25594) within 1,500 feet of the project limits that is currently in “Active” status.

The Commission will need to approve a Hillside Endorsement due to existing and created slopes over 18% (**Attachments A4, B**).

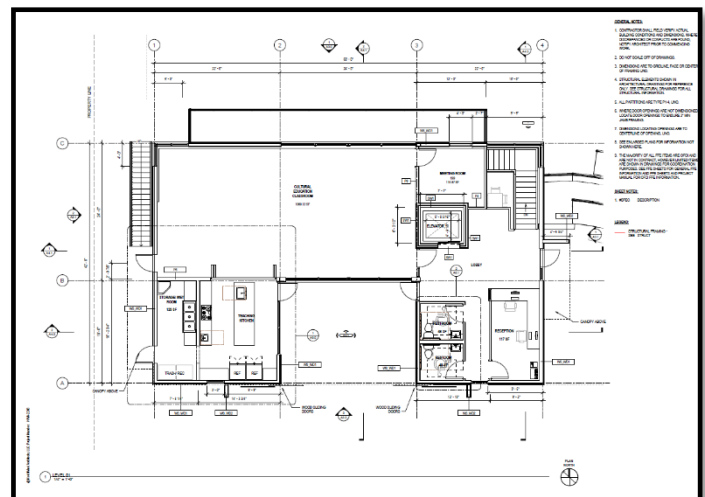
**Condition: None.**

**Project Design** – Two stories and an outdoor interactive learning space will be served by an elevator. The project can be split into three elements (measurements scaled from application materials):

- **Level 0 - Daylight Basement**
  - Office Space ~ 404sf
  - Computer Lab - 103.22sf
  - Mechanical Room - 102.99sf
  - Janitor's Closet – 37.55sf
  - Accessible Restroom – 52.68 sf
  - Accessible Restroom – 52.45 sf
  - Common area featuring a lounge and kitchen.
- **Level 1 - Entrance Floor**
  - Classroom – 1069.12sf
  - Lobby ~ 307 sf
  - Teaching Kitchen ~ 235sf
  - Storage/Wet Room - 120ft
  - Reception – 117 sf
  - Meeting Room 116.87 sf
  - Accessible Restroom – 48sf
  - Accessible Restroom – 48sf
- **Outside Learning**
  - Upper terrace – 1770 sf
  - Lower terrace – 670 sf
  - Fenced patio – 375 sf
  - Concrete Ramp – 500 sf
  - Workshop (Partial Cover) – 600 sf
  - Outside Kitchen – 200 sf



*Figure 8 – Level 0 Plan*



*Figure 9 – Level 1 Plan*

**Condition:** None.

**Traffic** – A TIA is not required. Average Annual Daily Traffic (AADT) of less than 250 does not require a Traffic Impact Analysis (TIA) [CBJ 49.40.300 (a)(2)].

Use	Total Sq. Ft.	Trips Generated Per 1,000 Sq. Ft.	Total Trips
Museum <sup>A</sup>	4,000 sf	0.66	2.64
Total AADTs:			2.64

*Institute of Traffic Engineers' (ITE) Trip Generation Manual, 9<sup>th</sup> Edition, Volume 3,  
A: pages 1160, 1161*

The Institute of Traffic Engineers (ITE) estimate 2.64 AADT for a 4,000 square foot facility. To rationalize AADT, staff used two traffic scenarios that best fit proposed uses:

- Museum on a Saturday: This use fits non-classroom spaces such exhibits and demonstrations.
- Junior/Community College on a weekday: This use fits the classroom and support spaces providing classes for a variety of age groups, with the potential for sizable evening programs.

Use	Total Sq. Ft.	Trips Generated Per 1,000 Sq. Ft.	Total Trips
Museum <sup>A</sup>	2,192 sf	0.66	1.45
Junior/Community College <sup>B</sup>	1,607 sf	27.49	43.98
Total ADTs:			45.43

*Table 6 – Average Annual Daily Trips Generated  
Institute of Traffic Engineers' Trip Generation Manual, 9<sup>th</sup> Edition, Volume 3,  
A: pages 1160, 1161  
B: Pages 1047, 1066*

The applicant proposes using the street in front of the facility for drop-off and pick up (**Attachment A3, page 7**). Operations must be contained on the site.

**Condition:** No student or visitor loading or unloading in the street in front of the facility.

**Vehicle Parking & Circulation** – According to CBJ 49.40.210, six off-street parking spaces are required, including one ADA-accessible space.

Use	Required/Total Sq. Ft.	Square Feet	Total Spaces
Museum	1/600	4,000	6
Total Parking Requirement:			6
Off-Street Loading Spaces Required:			0
ADA Accessible Spaces Required:			1

Two (2) proposed off-street parking modifications have been submitted (**Attachment A5**). A variance proposes back-out parking for nine spaces, with the option of developing two additional spaces on CBJ land (VAR2023 0002).

If the variance was denied, a waiver to five spaces is proposed (PWP2023 0003). Note that CBJ has not approved the use of the CBJ property for parking.

If the modifications are not passed, six (6) off-street parking spaces are required, and the project cannot continue without them. Regardless of the number or layout of off-street parking, staff recommends markings and signage be required for Temporary Certificate of Occupancy.

**Condition:** Prior to the issuance of a building permit for the proposed project, a plan for appropriate parking lot vehicle control signs and pavement markings must be submitted for review to the CDD and be found to meet all applicable CBJ ordinances and CDD regulations.

**Condition:** Prior to Temporary Certificate of Occupancy, all pavement markings, including directional arrows, parking space stripes, and other markings shown on the approved parking plan shall be applied to the parking and circulation area as shown on the parking plan in a medium designed for such purposes.

**Condition:** Prior to Temporary Certificate of Occupancy, all vehicle control signs shown on the project site plan shall be applied to the parking and circulation area as shown on the site plan in a medium designed for such purposes.

**Condition:** Prior to Temporary Certificate of Occupancy, for spaces that do not front a curb, wheel stops shall be placed in the parking lot to define the location of parking spaces.

**Condition:** Prior to Temporary Certificate of Occupancy, CBJ-approved signage shall be posted for the accessible parking space prior to commencement of the proposed use.

**Condition:** The applicant shall include in any contract agreement with construction contractors and their subcontractors the prohibition for any construction-related vehicles, including employee vehicles, to park at the parking area at St. Ann's Avenue turnabout without prior written permission from CBJ Parks and Recreation Department. A copy of the applicable portion of each contract and the signature page(s) shall be provided to the CDD prior to issuance of a building permit for this project to show that this condition has been met.

**Noise** – Noise associated with the proposed development is consistent with the character of the existing residential neighborhood and trailhead.

If the teaching kitchen requires an industrial exhaust system, impacts must be mitigated. An Electronically Commutated Motor (ECM) exhaust fan is listed in the Kitchen Equipment Schedule (**Attachment A6**). ECM fans are noted to operate quieter than other options due to their high efficiency.

**Condition:** Prior to using an industrial exhaust system, the Applicant must equip kitchen exhaust fan with an acoustic silencer.

**Lighting** – A lighting plan will be required with the building permit application and will be reviewed and approved under that process. Lighting will be full-cut off design and not fall onto neighboring property.

**Condition:** Prior to issuance of a building permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed and



located to minimize offsite glare. Approval of the plan shall be at the discretion of the Community Development Department.

**Vegetative Cover & Landscaping** – The minimum requirement for vegetative coverage in D-18 zones is 30%. Scaling application documents yields approximately 6,000 sq. ft. of lot vegetation, or 44%.

**Condition:** None.

**Habitat** – The Applicant is responsible for checking with U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling. No anadromous waterbodies are on the subject parcel, or within 50 feet.

**Condition:** None.

**Drainage and Snow Storage** – Plans show structures in a 10-foot wide drainage easement on the west lot line. Structures proposed in the easement will not be permitted.

Approximately 1,100 square feet of snow storage is identified on the plans, with approximately (**Attachment A3, page 8**):

- 200 square feet of a planter bed, a portion of which is in the storm drainage easement, and
- 900 square feet of the main plaza.

CBJ Parks and Recreation has expressed concern about runoff, during and after construction. Part of construction permitting CBJ General Engineering approval of the drainage plan. Drainage plan requirements are outlined in CBJ 49.35.510, and include calculated runoff, demonstration that drainage will terminate in an established channel, and constructed accommodation of increased drainage. Drainage will be required to be maintained on the applicant's lot.

**Condition:** None.

**Historic District** – Lot is outside of the historic district.

**Condition:** None.

**Hazard Zones** – The lot is not within a Special Flood Hazard Area (Panel 02110C1569E).

Using USGS contour data, the slope of the lot is ~25 percent, requiring Commission approval of a hillside endorsement [CBJ 49.70.210]. Hillside endorsement materials can be found in **Attachment B**. Hillside endorsement is explicitly included in the Commission recommendation.

**Condition:** None.

**Public Health, Safety, and Welfare** – Food security is improved through the DIA's food sovereignty and food source stability program. The Juneau Commission on Sustainability says Juneau's food supply is vulnerable to increasing fuel costs, longshoreman strikes, and natural disasters (<https://juneau.org/community-development/food-security>). Darren Snyder, of the University of Alaska Fairbanks Cooperative Extension, says

local food cultivation and harvesting, with non-electric storage methods, will reduce vulnerability (<https://www.uaf.edu/ces/districts/juneau/food-security/food-for-thought/>).

Downtown Juneau's Flats neighborhood use on-street parking for traffic calming. The Flats and this area of Douglas have two functional differences:

- The Flats has curb, gutter and sidewalk on both sides of the roads.
- The block lengths are 200 feet in the Flats, allowing conflicting traffic to negotiate passage. The block length on St. Ann's Avenue, from the project site to the first constructed cross street, is approximately 1,300 linear feet.

According to the American Association of Highway and Transportation Officials, local roads are "generally sufficient" to accommodate bicycle traffic. Sidewalks are recommended on one side of the street (*A Policy on Geometric Design of Highways and Streets*, 7<sup>th</sup> Edition, paragraph 5.3.2.9).

Parking and traffic impacts will be exacerbated by the move of the Mount Jumbo and Bradley trailheads to Treadwell (Ordinance 2021-08(b)(am)(V), approved February 7, 2022). Staff was unable to acquire a plan or grant application for the project. CBJ Parks and Recreation comments recognize that, while the intent is for users to access the trail from Savikko Park (**Attachment C**, page 3-4), users will be attracted to the St. Ann's Avenue parking lot, which shortens the route.

There are 33 lots on St. Ann's Avenue between Treadwell Street and Summer Street. There are 22 lots on Laurel Drive, Alaska Belle Court, 6<sup>th</sup> Street and Alta Court. Assuming each of these lots generates 10 AADT (The ITE suggests a single-family home generates 9.52), AADT on St. Ann's Avenue could be 550.

The project is anticipated to increase traffic eight percent. The traffic impacts of CBJ Parks and Recreation development are not quantified. According to the Alaska Department of Transportation and Public Facilities, this traffic would be comparable to that seen on Crow Hill Drive above the intersection with Lawson Creek Road, or Engineers Cutoff between Fritz Cove Road and Mendenhall Peninsula Road (<https://alaskatrafficdata.drakewell.com/publicmultinodemap.asp>).

**Condition:** None.



Indian Village, Douglas Is., Alaska.  
This undated photo from the Alaska State Library Historical Collections taken by Edward DeGroot shows the Douglas Indian Village. (Courtesy Photo | From the Delbert E. Replogle Photograph Collection)

**Property Value or Neighborhood Harmony** – The neighborhood between St. Ann’s Avenue and 5<sup>th</sup> Street has been developed with single-family structures and accessory apartments. Due to higher-density zoning, the downhill side of St. Ann’s Avenue has multi-family structures. Bus service is no longer provided to St. Ann’s Avenue.

The proposed facility overlooks the site of the Douglas Indian Village, destroyed in 1962.

**Condition:** None.

## **AGENCY REVIEW**

CDD conducted an agency review comment period between September 6, 2023 and September 28, 2023. Agency review comments can be found in **Attachment C**.

Agency	Summary
CBJ Parks and Recreation	Concerns over erosion and drainage.
CBJ Police Department	Occasional over-parking addressed with citations or tows.

## **PUBLIC COMMENTS**

In accordance with CBJ 49.20.230(b) public notice was mailed to property owners within 500 feet of the lot (**Attachment D**), a public notice sign was posted on-site two weeks prior to the hearing (**Attachment E**). Ads were placed in the Juneau Empire. Public comments received at the time of writing this staff report can be found in **Attachment F** and are summarized below.

Name	Summary
Glen Wuyts	Nine parking spaces is inadequate for the facility.
Lynne Smith	Concerns with parking, traffic and pedestrians.
Sherill Baxter	Concerns with parking and pedestrian facilities.
Mark Hildebrand	Concerns with parking and pedestrian facilities.
Erica Simpson	Concern with parking and traffic impacts, in context of zoning.
Tara Kovach	Concerns about traffic and parking.
Paulette Simpson	Concerns with project size, and traffic and parking impacts to existing uses.
Mark Halsted	Analysis of zoning and building code regarding health and safety.
Ginger Johnson	Concerns regarding traffic and pedestrians.
Roger Kibby	Concerns with size and scope, proposes other locations.
Gloria Lethgo	Concerns with traffic and parking.
Tammy Smith	Concerns with size and scope of facility.

Name	Summary
Paul Prussing	Wrong location for a good idea.
Mark Halsted	Phone call: Concerns with parking.

### **CONFORMITY WITH ADOPTED PLANS**

The proposed development conforms with the 2013 Comprehensive Plan and the 2011 Juneau Climate Action Plan.

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	11	Map P	Land Use Designation	Medium Density Residential, development is consistent with residential neighborhood with a Conditional Use Permit.
	16	223	16.4-SOP1	Implement programs to educate about indigenous peoples, through museums and interpretive exhibits.
	16	223	16.4-SOP2	Work with native groups to identify and preserve cultural resources.
	16	223	16.5-IA1	Develop interpretive materials to share history.
	16	223	16.5-IA2	Develop workshops for tourism providers to accurately share Juneau's history.
Juneau Climate Action Plan 2011	3.7	62	Food Production	Increase local food production.

The 2013 Comprehensive Plan acknowledges that the history provided may not be accurate and complete. The Commission committed to revising in consultation with native organizations (Chapter 1, page 4, in italics).

The Juneau Historic and Cultural Preservation Plan (2020) acknowledges the need to work with Douglas Indian Association.

Food security is an ongoing concern of the Juneau Commission on Sustainability (<https://juneau.org/engineering-public-works/jcos>).

### **PLAN IN DEVELOPMENT (NOT ADOPTED)**

The South Douglas/West Juneau Subarea Plan is in development. The agenda for the last meeting on October 13, 2022 included draft strategies and actions that support the proposal (**Attachment G**):

#### **A Distinctive Community**

Support the Douglas Indian Association in the development of a heritage and cultural center.

#### **A Culturally and Artistically Rich Community**

22. Expand opportunities for visitors to understand and learn about Douglas' unique cultural and natural history through partnerships with the Douglas Indian Association, Sealaska Heritage Institution and the Historic Resources Advisory Committee.

62. Develop educational displays/materials about the Douglas Village that was located at Savikko Park

***Support and encourage a variety of art and arts programs that facilitate involvement, engagement, communication, understanding and respect among our diverse population.***

Develop partnerships between artists, artistic programs and the various cultural organizations, such as the Douglas Indian Association.

#### **A Healthy and Active Community**

***Support and enhance access to healthy foods including local and traditional foods.***

The draft strategies and actions remain in development. The last meeting of the South Douglas/West Juneau Subarea Plan Steering Committee was on April 12, 2023, and included a mapping exercise. Minutes from that meeting are included in **Attachment G**.

#### **FINDINGS**

##### **Conditional Use Permit Criteria –**

##### ***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 a full review of the proposed operations. The application submitted by the applicant, including 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 cultural center and education facility. The use is listed at CBJ 49.25.300, Section 5.300 for the D-18 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:** No further analysis needed.

**Finding: Yes.** With the recommended conditions, the proposed development will comply with Title 49, including off-street parking, lighting, vegetative cover, and noise.

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

**Analysis:** Existing parking is congested. Traffic is comparable to that on low-volume local roads. The project will increase traffic approximately eight percent.



**Finding: No.** The proposed culture and learning center, in a D-18 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:** The facility proposed is an appropriate scale for a residential neighborhood, and facilitates cultural awareness and education of the traditional people of the area.

**Finding: No.** With appropriate conditions, the requested culture and learning center, in a D18 zoning district will not substantially decrease the value or be out of harmony with the property in the neighboring area.

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

**Analysis:** No further analysis needed.

**Finding: Yes.** The proposed culture and learning center, with the recommended conditions, will conform to the 2013 Comprehensive Plan and the 2011 Juneau Climate Action Plan.

**RECOMMENDATION**

Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE WITH CONDITIONS** the requested Conditional Use Permit, including the hillside endorsement. The permit would allow up to 4,000 square feet for a culture and learning center, focusing on language and traditional food with up to 1,000 square feet covered outdoor area.

With this Notice of Decision, the Commission approves a Hillside Endorsement for this project in accordance with CBJ 49.70.210.

The approval is subject to the following conditions:

1. No student or visitor loading or unloading in the street in front of the facility.
2. Prior to the issuance of a building permit for the proposed project, a plan for appropriate parking lot vehicle control signs and pavement markings must be submitted for review to the CDD and be found to meet all applicable CBJ ordinances and CDD regulations.
3. Prior to Temporary Certificate of Occupancy, all pavement markings, including directional arrows, parking space stripes, and other markings shown on the approved parking plan shall be applied to the parking and circulation area as shown on the parking plan in a medium designed for such purposes.
4. Prior to Temporary Certificate of Occupancy, all vehicle control signs shown on the project site plan shall be applied to the parking and circulation area as shown on the site plan in a medium designed for such purposes.
5. Prior to Temporary Certificate of Occupancy, for spaces that do not front a curb, wheel stops shall be placed in the parking lot to define the location of parking spaces.
6. Prior to Temporary Certificate of Occupancy, CBJ-approved signage shall be posted for the accessible parking space prior to commencement of the proposed use.
7. The applicant shall include in any contract agreement with construction contractors and their subcontractors the prohibition for any construction-related vehicles, including employee vehicles, to

park at the parking area at St. Ann's Avenue turnabout without prior written permission from CBJ Parks and Recreation Department. A copy of the applicable portion of each contract and the signature page(s) shall be provided to the CDD prior to issuance of a building permit for this project to show that this condition has been met.

8. Prior to using an industrial exhaust system, the Applicant must equip kitchen exhaust fan with an acoustic silencer.
9. Prior to issuance of a building permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed and located to minimize offsite glare. Approval of the plan shall be at the discretion of the Community Development Department.

#### **STAFF REPORT ATTACHMENTS**

<b>Item</b>	<b>Description</b>
<b>Attachment A1</b>	Application - forms
<b>Attachment A2</b>	Application – information sheet
<b>Attachment A3</b>	Application – project description
<b>Attachment A4</b>	Application – geotechnical materials
<b>Attachment A5</b>	Application - parking
<b>Attachment A6</b>	Application - plans
<b>Attachment B</b>	Hillside Endorsement analysis
<b>Attachment C</b>	Agency Comments
<b>Attachment D</b>	Abutters Notice
<b>Attachment E</b>	Public Notice Sign
<b>Attachment F</b>	Public Comments
<b>Attachment G</b>	Douglas West Juneau Area Plan Agenda: October 13, 2022.