



# DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant	<b>PROPERTY LOCATION</b>		
	Physical Address 0, St. Anns Avenue, Douglas Alaska		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) USMS 164 SE FR		
	Parcel Number(s) None noted in assessor summary		
	<input type="checkbox"/> This property is located in the downtown historic district <input type="checkbox"/> This property is located in a mapped hazard area, if so, which _____		
	<b>LANDOWNER/ LESSEE</b>		
	Property Owner Douglas Indian Association	Contact Person Kamal Lindoff or Haifa Foroughi	
	Mailing Address 1021 Glacier Ave	Phone Number(s) 907-364-2916, 907-364-3567	
	E-mail Address klindoff@diataku.com, haifaf@diataku.com		
	<b>LANDOWNER/ LESSEE CONSENT</b>		
Required for Planning Permits, not needed on Building/ Engineering Permits. Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.  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 the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.  <div style="display: flex; justify-content: space-between;"> <div> <b>Kamal Lindoff</b>            Landowner/Lessee (Printed Name)         </div> <div> <small>Property Management &amp; Transportation Director</small>            Title (e.g.: Landowner, Lessee)         </div> </div> <div style="display: flex; justify-content: space-between;"> <div> <b>X Kamal Lindoff</b>            Landowner/Lessee (Signature)         </div> <div>           Digitally signed by Kamal Lindoff            Date: 2023.07.25 10:56:18 -08'00'         </div> <div> <b>7-25-23</b>            Date         </div> </div> <div style="display: flex; justify-content: space-between;"> <div>           Landowner/Lessee (Printed Name)         </div> <div>           Title (e.g.: Landowner, Lessee)         </div> </div> <div style="display: flex; justify-content: space-between;"> <div> <b>X</b>            Landowner/Lessee (Signature)         </div> <div>           Date         </div> </div>			
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.			
<b>APPLICANT</b>			
If same as LANDOWNER, write "SAME"			
Applicant (Printed Name) Same		Contact Person	
Mailing Address		Phone Number(s)	
E-mail Address			
<b>X Kamal Lindoff</b> Applicant's Signature		Digitally signed by Kamal Lindoff Date: 2023.07.25 10:57:52 -08'00' <b>7-25-23</b> Date of Application	

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

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

Case Number <b>VAR25002</b>	Intake Initials 
	Date Received <b>8-29-23</b>



# VARIANCE 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.  
Not to be used for Administrative Variances**

To be completed by Applicant	<b>PROJECT SUMMARY</b>	
	The Douglas Indian Association Learning Center provides learning space for preschool through adult participants, primarily in the area of Tlingit Language Preservation, contemporary food preservation, a data archive, and a computer library. The building is on two levels, with the main floor at street level and a daylight basement lower level in the hillside overlooking the adjacent park area. The building will have an elevator. Site development is constrained, not anticipating future expansion. The steep hillside site is highly technical and costly to develop. Site dimensions and slope stabilization geometry create constraints that limit site area for parking. While possible to provide code minimum parking for this program, the community would be better served with more designated parking spaces in this neighborhood that could absorb some overflow of use at the adjacent Treadwell trail head.	
	<b>VARIANCE REQUESTED</b> (list CBJ Code section you are requesting a variance to) 49.40.235 - Parking and circulation standards, (b), (6). "Parking space aisles must provide adequate space for turning and maneuvering on-site to prevent back-out parking onto a right-of-way." We request a variance to allow direct back out of 30 deg. angled parking into to the right-of-way.	
	<b>Previous Variance Applications?</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Date of Filing: _____
	Previous Case Number(s): _____	Building Permit related to <input type="checkbox"/> YES <input type="checkbox"/> NO this variance?
Was the Variance Granted? <input type="checkbox"/> YES <input type="checkbox"/> NO		
<b>UTILITIES AVAILABLE:</b> WATER <input checked="" type="checkbox"/> Public <input type="checkbox"/> On Site SEWER: <input checked="" type="checkbox"/> Public <input type="checkbox"/> On Site		
<b>ALL REQUIRED MATERIALS ATTACHED</b>		
Complete application per CBJ 49.65.210		
Narrative including: Provided		
Any characteristics of land or building(s) or extraordinary situations that are unusual to this property or structure		
Why a variance would be needed for this property regardless of the owner		
What hardship would result if the variance is not granted		
Site Plan Provided		

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

VARIANCE FEES	Fees	Check No.	Receipt	Date
Application Fees	\$ 320 <sup>00</sup>			
Adjustment	\$			
Total Fee	\$ 320 <sup>00</sup>			

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.

Case Number	Date Received
VAR23-002	8-29-23



### **Variance Application Instructions**

Variances are outlined in CBJ 49.20 article II

**Application:** An application for a Variance will not be accepted by the Community Development Department (CDD) until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed Variance Application and Development Permit Application forms.
2. **Fees:** The fee for a Variance Application is \$400.00. If the application is in conjunction with a major development permit, the Variance fee will be reduced by 20 percent. Any development, work or use done without a permit issued will be subject to double fees. All fees are subject to change.
3. **Project Description:** A detailed letter or narrative describing the hardship that is the result of an unusual situation or physical feature affecting a specific parcel of land or structure. **Also include how the proposed project meets the variance criteria listed on the attached sheet.**
4. **Plans:** A site plan showing the following information:
  - A. The location of existing and proposed structures (i.e. buildings, fences, signs, parking areas, etc.); and
  - B. The location of existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.).

**Document Format:** All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Please consult with the Community Development Department to discuss whether additional information may be required for your application. The "Planner-On-Call" can be reached by contacting the Community Development Department at (907) 586-0715 or via email at [Permits@juneau.org](mailto:Permits@juneau.org).

**Application Review & Hearing Procedure:** Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

**Review:** As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the Variance Application request the application may be required to be reviewed by other municipal boards and committees. During this review period, the Community Development Department will coordinate the review of this application by other agencies, as necessary. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

**Hearing:** All Variance Applications must be reviewed by the Board of Adjustment. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting.

**Public Notice Responsibilities:** As part of the Variance process, all requests must be given proper public notice as outlined in 49.20.230 which consists of the following:

**Community Development Department** will give notice of the pending Planning Commission meeting and its agenda in the local newspaper a minimum of 10-days prior to the meeting. Furthermore, the department will mail abutters notices to all property owners within 500-feet of the project site. A "Public Notice Sign" is required to be posted on the site by the Applicant and the Community Development Department will create the sign to be posted.

### Variance Approval Criteria

A variance may be granted after the prescribed hearing and after the Board of Adjustment has determined that the following criteria are met. Include in your project narrative a detailed description about how your proposal meets each of the criteria listed below:

CBJ 49.20.250(b) Non-administrative variances. (1) *A variance may be granted to provide an applicant relief from requirements of this title after the prescribed hearing and after the board of adjustment has determined that:*

- (A) Enforcement of the ordinance would create an undue hardship resulting from the unusual or special conditions of the property;*
- (B) The unusual or special conditions of the property are not caused by the person seeking the variance;*
- (C) The grant of the variance is not detrimental to public health, safety, or welfare; and*
- (D) The grant of the variance is narrowly tailored to relieve the hardship.*

PLEASE NOTE: As provided by CBJ Land Use code section on Variances (CBJ 49.20.200), a variance may be granted to provide an applicant relief from the requirements of Title 49, the Land Use Code. A variance is prohibited from varying any requirement or regulation of this title concerning the use of land or structures, housing density, lot area, requirements in chapter 49.35, or requirements in chapter 49.65. Applications for prohibited variances shall not be accepted for filing or shall be rejected by the director.

---

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**



August 28, 2023

Project: Douglas Indian Association Learning Center

RE: Narrative supporting paring variance

Summary from correspondence with the CBJ regarding development of lot USMS 164 SE FR with the listed address of 0 Street St. Ann's Avenue, for the purpose of a Cultural/education center.

Property description provided by K. Lindoff, 2/28/2022



The lot is approximately 100 feet deep by 133.5 feet wide (parallel to street and is listed as 13,366 square feet with City Water and Sewer on the CBJ Assessor's database. There is a 10' drainage easement to maintain on the north property line.

This property is being developed as a Learning Center (Education, Library, museum) located in a D18 zone, requiring Conditional use permit requires planning commission approval. per CBJ 49.25.300(5.110 and 5.300).

Under the current City and Borough of Juneau Municipal code, dimensional standards for D18 zoning per 49.25.400 - *Minimum dimensional standards*:

- Front yard setback: 20 feet.
- Side yard setback: 5 feet (though note that if you go less than 10 feet you will need to utilize fire rated construction)
- Back yard setback: 25 feet
- Maximum allowable height: 35 feet (three stories)
- Maximum lot coverage: 50% (so a maximum of 6,680 square footprint of building, multiplied by a maximum of three stories).

Per 49.40.210 - *Minimum space and dimensional standards for parking and off-street loading*; Library = one parking space per 600 gross square feet. Education = 2 parking spaces per classroom. Our minimum calculatable parking space count

Sean M Boily AIA  
Principal Architect

James Bibb AIA  
Principal Architect

David Hurley AIA  
Principal Architect

126 Seward Street  
Juneau, AK 99801

p.907.586.6150  
f.907.586.6181



would be 2 (2 for the education space, 4 for the other spaces), or 6 if calculated at 1 space per 600 sf.

**Purpose of Variance: Owner would like to provide more parking.**

49.40.235 - Parking and circulation standards, (b), (6). "Parking space aisles must provide adequate space for turning and maneuvering on-site to prevent back-out parking onto a right-of-way." We request a variance to allow direct back out of 30 deg. angled parking into to the right-of-way. There is insufficient room on the site to provide the additional 13' aisle for turning and maneuvering on the site.

**Justification:**

- The short section of St/. Anns Street that will be affected serves a small cul-de-sac and trailhead into the Treadwell Park. It is the sole use of this dead end to the street, and vehicles are moving there at low speeds, like a parking lot.
- The cul-de-sac provides 5 public parking spaces and has no through-traffic, and therefore constitutes a very low traffic load.

Allowing the direct access angled parking along this unique portion of St Anns will allow the DIA project to provide 9, parking spaces on the DIA land to serve the facility. A 10<sup>th</sup> and possibly 11<sup>th</sup> parking space may be gained for public use if allowed to straddle the property line between DIA and CBJ properties. DIA would grade and surface that area for added space at no cost to the city. That space could be posted for public use.

If at some future date this portion of St Anns were extended through the Treadwell Park with higher traffic loads and speeds, the minimum code compliant parking spaces could be provided on the DIA site as seen in the compliance site plan. However, ***providing a plan now to provide more parking as a part of this development will help alleviate neighborhood concerns regarding parking needs in the adjacent area.***

There are other successful precedents for this in Juneau, largely for historic and space-constrained conditions. This condition is illustrated on the attached site plan diagrams.

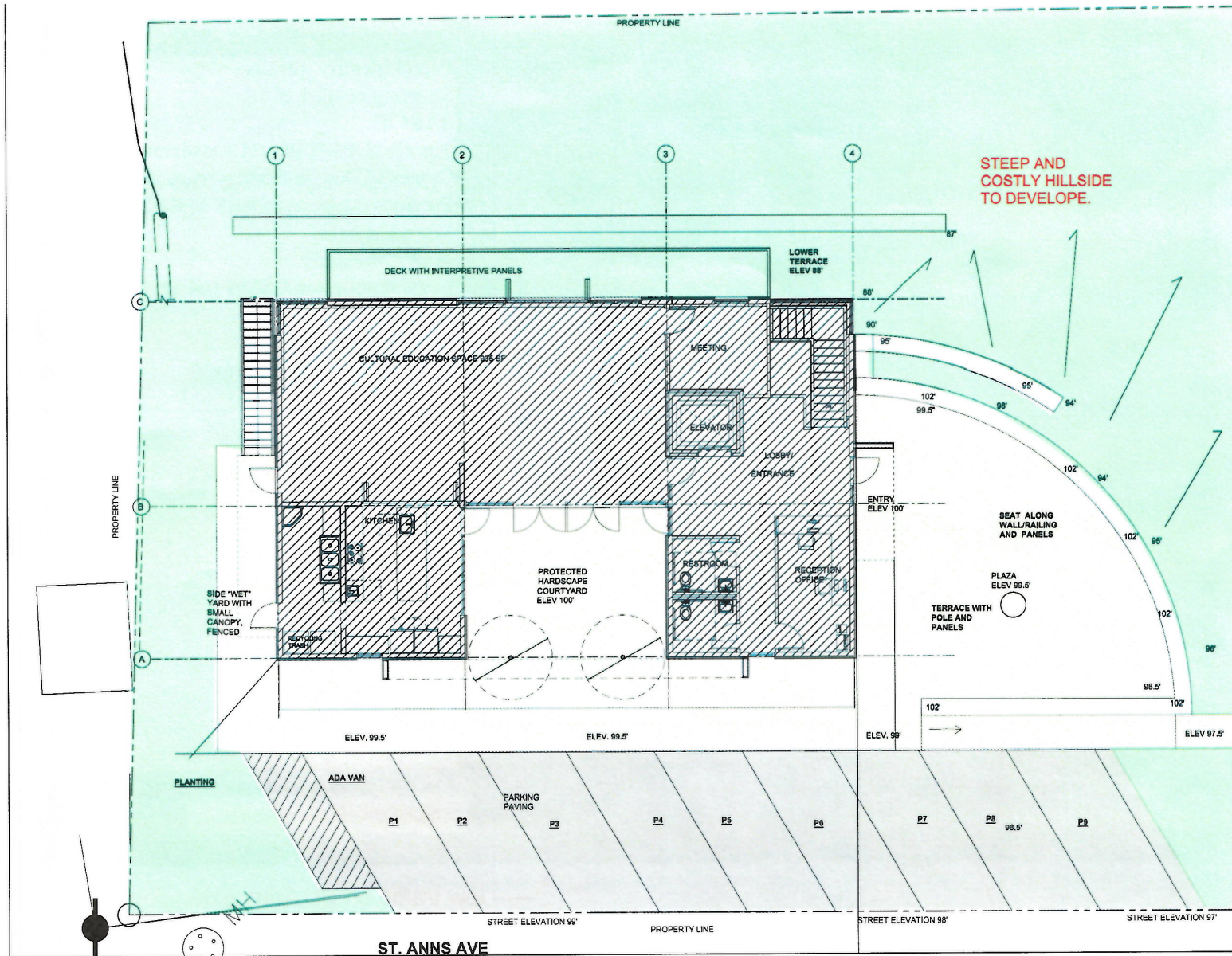
**NorthWind Architects, LLC**  
**Sean M. Boily, AIA**



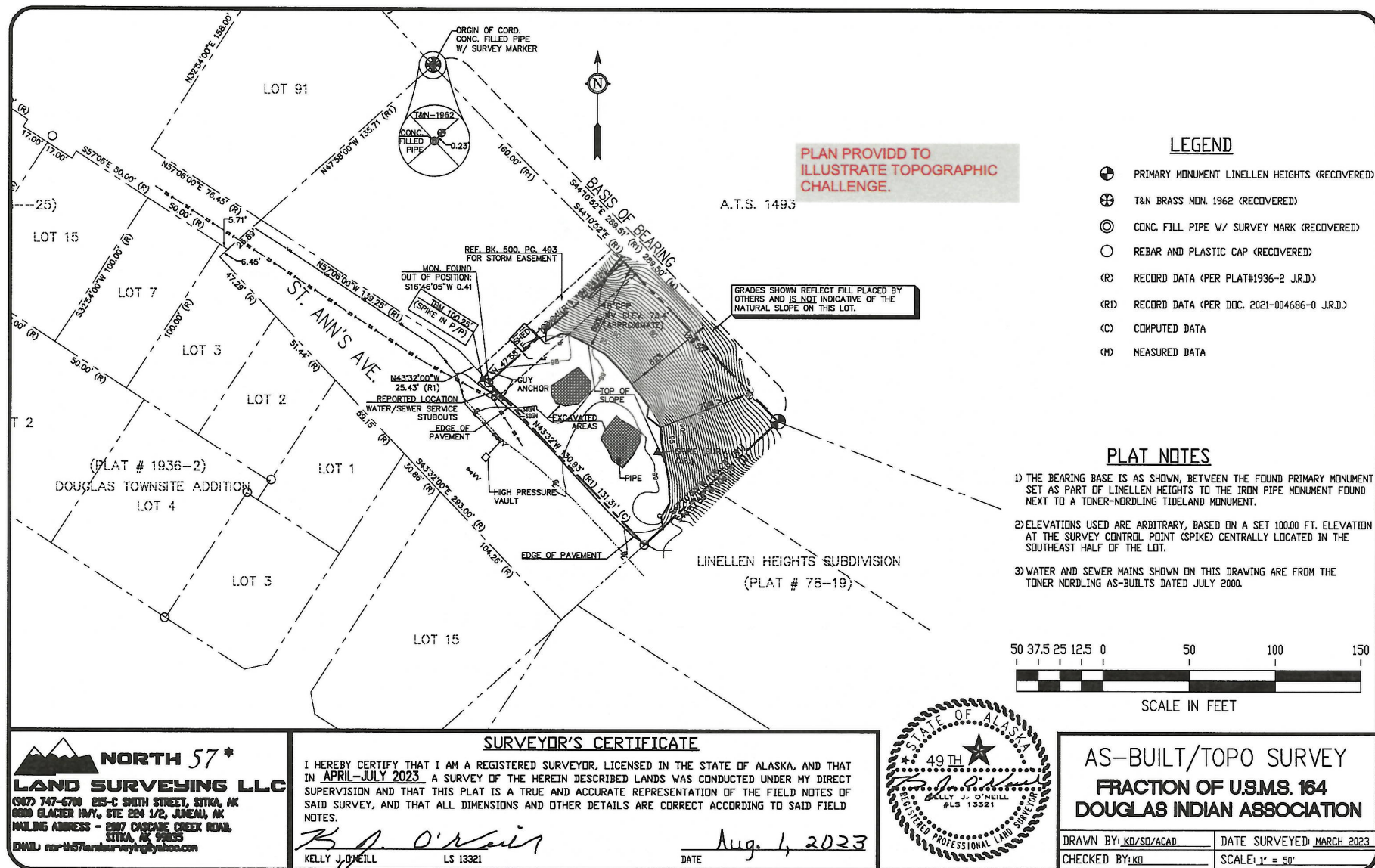


Site Option  
Propose to City  
for Variance 8/28/23

STEEP AND  
COSTLY HILLSIDE  
TO DEVELOPE.







**NORTH 57\***  
**LAND SURVEYING LLC**  
(907) 747-6700 215-C SMITH STREET, SITKA, AK  
6600 GLACIER HWY., STE 224 1/2, JUNEAU, AK  
MAILING ADDRESS - 6907 CASCADE CREEK ROAD,  
SITKA, AK 99833  
EMAIL north57landsurveying@yahoo.com