




**PLANNING COMMISSION STAFF REPORT  
REZONE AME2021 0001  
HEARING DATE: MAY 11, 2021**

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155 S. Seward Street • Juneau, AK 99801

**DATE:** April 30, 2021  
**TO:** Michael LeVine, Chair, Planning Commission  
**BY:** Joseph Meyers, Planner I   
**THROUGH:** Jill Maclean, Director, AICP

**PROPOSAL:** Applicant requests a rezone of Channel View Lot 1 from D15 to General Commercial (GC).

**STAFF RECOMMENDATION:** Staff recommends the Planning Commission recommend APPROVAL to the Assembly for a rezone from D15 to D15(T)LC, and a Comprehensive Plan Land Use Designation Map amendment from Medium Density Residential (MDR) to High Density Residential (HDR) .

**KEY CONSIDERATIONS FOR REVIEW:**

- Comprehensive Plan Land Use Designation is Medium Density Residential (MDR)
- A rezone to GC would not be in conformance with the Land Use Designation under the 2013 Comprehensive Plan
- Staff recommends approval of an alternative, which would establish a transition zone for the lot
- The transition zone upgrade would be contingent on access

| GENERAL INFORMATION            |                               |
|--------------------------------|-------------------------------|
| <b>Property Owner</b>          | TDLH LLC.                     |
| <b>Applicant</b>               | Travis Arndt                  |
| <b>Property Address</b>        | Not Assigned                  |
| <b>Legal Description</b>       | Channel View Lot 1            |
| <b>Parcel Number</b>           | 6D0601150011                  |
| <b>Zoning</b>                  | D15                           |
| <b>Land Use Designation</b>    | MDR                           |
| <b>Lot Size</b>                | 671,260 sq. ft. (15.41 acres) |
| <b>Water/Sewer</b>             | CBJ                           |
| <b>Access</b>                  | North Douglas Highway         |
| <b>Existing Land Use</b>       | Vacant                        |
| <b>Associated Applications</b> | N/A                           |

**ALTERNATIVE ACTIONS:**

1. **Amend:** recommend an amended rezone boundary; recommend an alternative zoning district; or recommend conditions.
2. **Deny:** recommend denial of the requested rezone. Planning Commission must make its own findings.
3. **Continue:** continue the hearing to a later 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 required for this rezone.

**STANDARD OF REVIEW:**

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
  - 49.75.120
  - 49.10.170(d)
  - 49.80

**The Commission shall hear and decide the case per 49.75.120 - Restrictions on rezoning.** Rezoning requests covering less than two acres shall not be considered unless the rezoning constitutes an expansion of an existing zone. Rezoning requests which are substantially the same as a rezoning request rejected within the previous 12 months shall not be considered. A rezoning shall only be approved upon a finding that the proposed zoning district and the uses allowed therein are in substantial conformance with the land use maps of the comprehensive plan.

**SITE FEATURES AND ZONING**

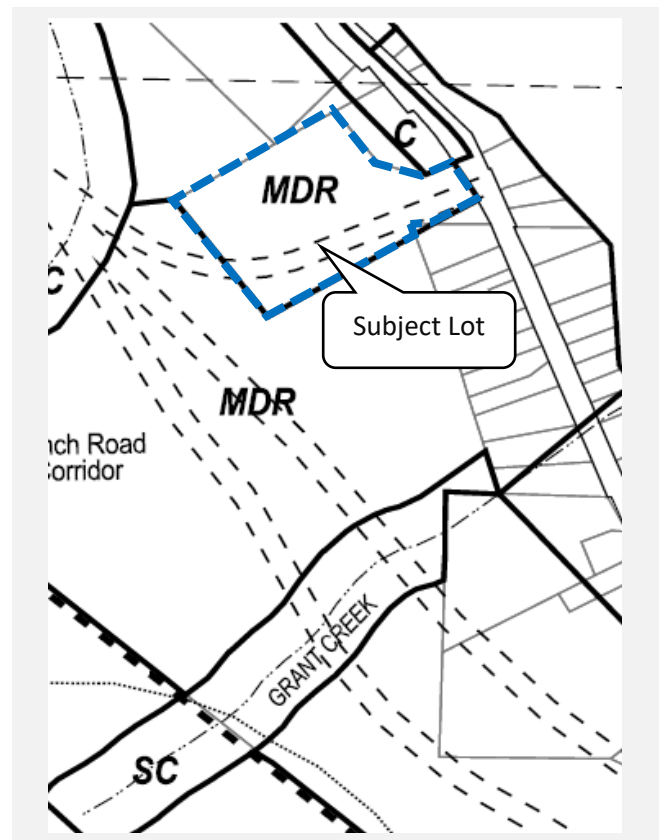
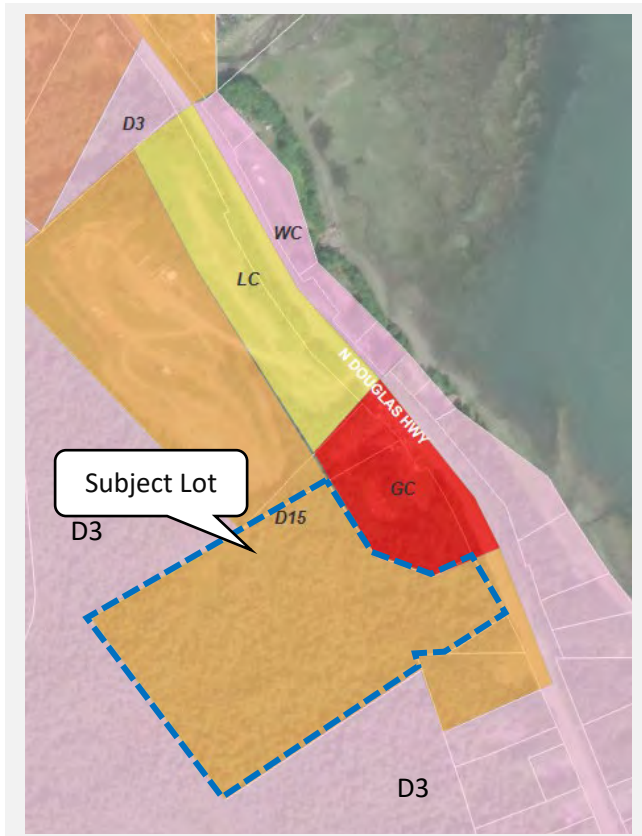


| SURROUNDING ZONING AND LAND USES |                       |
|----------------------------------|-----------------------|
| North (GC)                       | Disused rock quarry   |
| South (D3)                       | Vacant                |
| East (D15)                       | North Douglas Highway |
| West (D3)                        | Vacant                |

| SITE FEATURES     |          |
|-------------------|----------|
| Anadromous        | No       |
| Flood Zone        | No       |
| Hazard            | No known |
| Hillside          | Yes      |
| Wetlands          | No       |
| Parking District  | No       |
| Historic District | No       |
| Overlay Districts | None     |

**CURRENT ZONING MAP**

**LAND USE DESIGNATION MAP**



## **BACKGROUND INFORMATION**

**Project Description** – The applicant seeks to rezone 15.41 acres from D15 to General Commercial (GC) zoning. Staff proposes a rezone from D15 to D15 transition Light Commercial [D15(T)LC] upon the provision of alternative vehicular access; this is discussed further below.

**Background** – The lot was platted in 1918 through USS 2433 as the homestead of William Denomy. In 1998, the lot was platted into the current configuration by Plat 98-04.

At the corner of North Douglas Highway, the lot abuts a GC zoning district, which was rezoned from RR(T)D3 to GC in 1999 through Ordinance 99-01am. This rezone was allowed to take place if “the use of the property shall be restricted to motor vehicle sales and repair,” restricting any other commercial uses on the lot. GC zoning conforms with the Comprehensive Plan Land Use Map Commercial designation for this area.

In 2015, upon establishment of service of public sewer, 27 parcels along North Douglas Highway zoned D3, D5, and RR(T)D3 were rezoned to D15, including Capital View Lot 1.

Per the Comprehensive Plan, the lot and some of the surrounding area have a Land Use Designation of Medium Density Residential (MDR). These lands are characterized by urban *residential lands for multifamily dwelling units at densities ranging from 5 to 20 units per acre*. Any commercial development should be of a scale consistent with a residential neighborhood, as regulated in the Table of Permissible Uses (CBJ 49.25.300). (emphasis added)

**Zoning History** – The lot was zoned RR(T)D3, a transition zone in anticipation of connection to CBJ water and sewer services. In 2015, water and sewer were provided and the 43 lots comprising the transition zone were upzoned.

Most of the lots were rezoned D3, while Channel View Lot 1 was rezoned D15. Due to the location of this lot in the MDR (medium density residential) land use designation area, it had a unique opportunity to achieve higher density zoning than most other lots in this rezone.

Channel View Lot 1 was chosen for upzoning to D15 for four reasons as laid out in staff report AME 2013-0016 (ATTACHMENT I):

1. “Transition from RR to D3, D5, and D10SF would not be consistent because they are not consistent with the desire for higher density multi-family development”
2. “D10, D15, and D18 were zoning designation candidates that could be consistent with the Plan”
3. While D18 would technically be consistent with the Comprehensive Plan, “D18 intends to have midrise-type developments which aren’t currently in the neighborhood”
4. D18 “isn’t consistent with the D15 transition designation that the property already has.”

The staff report for AME 2013-0016 heavily referenced a 2009 TIA (ATTACHMENT E), which projected a significant impact on transportation infrastructure should D18, and other higher densities, be permitted along North Douglas Highway. This impact was projected to drop the Level of Service from B to F in the morning peak hour at the Douglas Highway/North Douglas Highway roundabout. The 10<sup>th</sup> & Egan intersection, which already has a LOS of E for morning peak hour, would drop to an F, further exacerbating congestion at a highly impacted intersection. The Staff Report for AME 2013-0016 projected increased density above D18 would lead to an LOS of F based on this 2009 TIA data.

The below table summarizes zoning history for the lot.

| Year | Zoning  | Summary   |
|------|---------|---|
| 1918 | None    | The original lot was platted in 1918 through USS 2433.  |
| 1969 | R12     | In 1969, the lot was zoned R12, which required a minimum lot size of 12,000 square feet, minimum lot width of 110 feet, and a minimum lot depth of 100 feet.                                    |
| 1987 | RR(T)D3 | In 1987, the lot was rezoned to Rural Reserve. In the RR zoning district, the minimum lot size is 36,000 square feet, the minimum lot width is 150 feet, and the minimum lot depth is 150 feet. |
| 2015 | D15     | In 2015, the lot was rezoned from RR(T)D3 to D15 after improvement requirements were met.   |

**ZONING ANALYSIS**

**CBJ29.25.200 Zoning Districts Defined** – The following table compares the current versus proposed zoning districts for the site. The applicant proposes a rezone to GC.

| <b>Current Zoning – D15</b>   | <b>Applicant’s Preferred Zoning – GC</b>  | <b>Staff Recommendation – D15(T)LC conditional upon improved access</b>   |
|---|---|---|
| <i>The D15, residential district, is intended to accommodate primarily multifamily development at a density of 15 dwelling units per acre. This is a relatively low-density multifamily residential district.</i> | <i>The GC, general commercial district, is intended to accommodate most commercial uses. Commercial activities are permitted outright in the zone except for those few uses that are listed as conditional uses to ensure compatibility. Residential development is allowed in mixed- and single-use developments in the general commercial district.</i> | <i>The LC, light commercial district, is intended to accommodate commercial development that is less intensive than that permitted in the general commercial district. Light commercial districts are primarily located adjacent to existing residential areas. Although many of the uses allowed in this district are also allowed in the GC, general commercial district, they are listed as conditional uses in this district and therefore require commission review to determine compatibility with surrounding land uses. A lower level of intensity of development is also achieved by stringent height and setback restrictions. Residential development is allowed in mixed- and single-use developments in the light commercial district.</i> |

**Current Zoning** – The current zoning of the lot is D15 Residential with a maximum density of 15 dwelling units per acre. Commercial uses in this zoning district require a Conditional Use Permit with some commercial uses being prohibited outright.



Image 1 Current Zoning

**Applicant’s Preferred Zoning** – The preferred proposed zoning of the lot is GC (General Commercial) with a maximum density of 50 dwelling units per acre. This option provides flexibility in how the land may be used by permitting many diverse commercial uses with opportunity for higher residential density than D15 zoning. The applicant has requested LC (Light Commercial) zoning as an alternative to GC, without transportation infrastructure improvements.



Image 2 Applicant’s Preferred Zoning

**Staff’s Recommended Zoning D15(T)LC** – The recommended rezoning of the lot is D15(T)LC with a maximum density of 30 dwelling units per acre. This recommendation will require that specified conditions are met before the lot transitions to the LC zoning district. Many of the permissible uses in LC require a conditional use permit, providing opportunity for public process. In comparison, many of the same uses are allowed in the GC zoning district without a conditional use permit, and do not require a public process.

Per the land use code, LC is intended to be a *transitional district between residential and commercial zoning districts* (emphasis added). The rear of the lot is zoned D3, and this land is undeveloped and City-owned. The developed land to the north is zoned D15 and GC, with the D15 land in this area being a disused gravel pit. The D15 land to the south is currently used for a single-family structure.



Image 3 Staff's Recommended Zoning

**CBJ 49.25.300 Table of Permissible Uses Comparison** – The lot is currently undeveloped, thus no uses would become nonconforming with this rezoning. The uses listed below demonstrate uses that may be permitted based on the proposed rezoning. A complete comparison table is available in Attachment C. Uses listed in the table below are categorized as DEPT or CUP. Uses require either department approval (DEPT) or Planning Commission (CUP) approval. Some uses may have both listed and will depend on the intensity of the use. Minor development requires department approval; major development requires Planning Commission approval.

| Use Description  | Current Zoning<br>D15 | Applicant's Preferred Zoning<br>GC | Staff Recommendation*<br>D15(T)LC |
|--|-----------------------|------------------------------------|-----------------------------------|
| Multi-family dwellings   | DEPT, CUP             | DEPT, CUP                          | DEPT, CUP                         |
| Light manufacturing  | CUP                   | DEPT, CUP                          | DEPT, CUP                         |
| Small restaurants, less than 1,000 square feet without drive through service | CUP                   | DEPT                               | DEPT                              |
| All storage within completely enclosed structures                            | Not permitted         | CUP                                | DEPT                              |
| Storage of explosives and ammunition   | Not permitted         | Not permitted                      | Not permitted                     |
| Mining operations  | Not permitted         | Not permitted                      | Not permitted                     |
| Sand & gravel operations   | Not permitted         | CUP                                | CUP                               |
| Open air markets (farm, craft, flea, and produce)                            | Not permitted         | DEPT, CUP                          | DEPT                              |

\*Describes LC zoning to be applied once conditions for transition have been met.

Some uses that are not allowed under D15 zoning are permissible in commercial zoning districts. The examples above illustrate the diversity of uses in each proposed zoning district type. One item of note, some of the more

intensive uses remain prohibited in all the proposed zoning districts. Examples include mining, and storage of explosives and ammunition. However, uses such as open air markets, light manufacturing, small restaurants, and storage within completely enclosed structures become permissible.

**CBJ 49.25.400 Dimensional Standards** – The lot currently meets or exceeds dimensional standards, including lot size, lot width, and lot depth under all proposed zoning districts. No structures currently exist on the lot; setbacks, lot coverage, vegetative cover, and structure height standards must be met for future development.

|  | Current Zoning              | Proposed Zoning            | Staff Recommendation             |
|--|-----------------------------|----------------------------|----------------------------------|
| <b>Table of Dimensional Standards<br/>Rezone Request 15.41 Acres</b> | <b>D15<br/>(15/DU Acre)</b> | <b>GC<br/>(50/DU Acre)</b> | <b>D15(T)LC<br/>(30/DU Acre)</b> |
| Maximum # of dwelling units, <b>unsubdivided</b>                     | 231 units                   | 770 units                  | 462 units                        |
| Maximum # of dwelling units, <b>subdivided</b>                       | 134 units                   | 672 units                  | 336 units                        |
| Maximum # of lots, <b>subdivided</b>                                 | 134 lots                    | 336 lots                   | 336 lots                         |
| Maximum height limit   | 35 feet                     | 55 feet                    | 45 feet                          |
| Maximum lot coverage   | 50%                         | None                       | None                             |
| Vegetative cover   | 30%                         | 10%                        | 15%                              |
| Minimum lot size   | 5,000 square feet           | 2,000 square feet          | 2,000 square feet                |
| Minimum lot width  | 50 feet                     | 20 feet                    | 20 feet                          |
| Minimum lot depth  | 80 feet                     | 60 feet                    | 80 feet                          |
| Minimum front yard setback   | 20 feet                     | 10 feet                    | 25 feet                          |
| Minimum street side yard setback                                     | 13 feet                     | 17 feet                    | 10 feet                          |
| Minimum side yard setback  | 5 feet                      | 10 feet                    | 10 feet                          |
| Minimum rear yard setback  | 15 feet                     | 10 feet                    | 10 feet                          |

**CBJ 49.25.500 Density** – The 2013 Comprehensive Plan states that buildable lands within the Urban Service Area Boundary (USAB) “should be developed as medium- to high-density affordable housing or mixed residential and commercial developments wherever possible and practicable.” (Page 13).

The applicant’s preferred zoning, GC, allows for the highest density of the three proposed rezoning options with 770 possible dwelling units, and allows commercial and residential mixed-use developments. The transition rezone to LC provides for the potential of 462 dwelling units, and allows for commercial and residential mixed-use developments (see table above). The dwelling unit estimates do not include land for access, utilities or site features that could limit the developable area. As stated above, GC does not conform to the Land Use Designation, and is not in substantial conformance with the Comprehensive Plan.

**Potential for Subdivision** – Current zoning would potentially provide for subdivision creating 134 lots with a minimum lot size of 5,000 square feet. Under GC or LC, that number would grow to a potential 336 lots (see table above). This estimate does not include rights-of-way requirements, easements for access and utilities, or site features that could limit the developable area. The transition rezone provides an opportunity to subdivide into smaller square footage lots while increasing the number of allowable dwelling units per lot, once adequate access has been constructed to address the traffic impact analysis. Policy 4.3 of the Comprehensive Plan has the stated goal of designating “an adequate supply of buildable land within the urban service area, and particularly along transit corridors, for residential use at densities that can produce housing affordable to all economic groups.” The plan goes on to say that “a density of 30 dwelling units per acre, or greater, along major transit corridors is recommended to produce affordable housing and to make efficient use of transit services therein.”



**TRAFFIC AND TRANSPORTATION**

**Non-motorized transportation** – There are no sidewalks along North Douglas Highway. Currently there are wide asphalt shoulders directly in front of the property that serve as de facto bicycle lanes.

**Proximity to Public Transportation** – The lot abuts North Douglas Highway and the Capital Transit Route 12 Juneau-North Douglas line. This bus line has designated stops, and can be flagged down at any location along North Douglas Highway where it is safe to stop. According to the Comprehensive Plan, buildable lands within the USAB should be zoned for higher densities. “This is particularly true for lands located within walking distance (approximately one quarter mile) of public transit service” (page 13). The lot is within a quarter mile of a transit line.

**Rights-of-Way (ROW)** –The 2013 Comprehensive Plan maps indicated a potential bench road alignment on this lot. The applicant does not seek to develop the road, and is open to discussion with the City about securing the right-of-way for this proposed future project.

According to CBJ 49.40.300, a traffic impact analysis (TIA) is required when a development is projected to generate more than 500 average daily trips (ADTs). CBJ definition of development does not include “rezone,” and so rezones do not trigger the need for a TIA. Eventual development may trigger one depending on estimated generated traffic.

In 2009, a TIA was completed for the intersection at 10<sup>th</sup> and Egan, and the intersection of Douglas Highway and North Douglas Highway. At that time, the Level of Service (LOS) at the 10<sup>th</sup> and Egan intersection was an E grade LOS in the morning peak hour, and a D grade LOS in the evening peak hour. The study concludes that traffic generated by future development along North Douglas Highway will negatively impact the LOS at The Douglas roundabout and the 10<sup>th</sup> and Egan intersection.

An LOS of “A” means that traffic is “free flowing” with minimal delay. An LOS of “F” means that traffic is “forced flow (jammed)” with significant delays. A full Level of Service Criteria description is available in Attachment E.

According to feedback on this rezone provided by DOT&PF, “a TIA may be required and which may result in some necessary mitigating action. We have concerns about the ability of North Douglas Highway and the bridge to handle the additional traffic. As well, high density development without any sidewalks could prove problematic. That all said, the TIA is the appropriate process to move forward with analysis of impacts.”

| Access                               | Roadway Classification | Current LOS (AM)* | Current LOS (PM)* |
|--------------------------------------|------------------------|-------------------|-------------------|
| North Douglas Highway Roundabout     | Minor Arterial         | B                 | A                 |
| 10 <sup>th</sup> & Egan intersection | Arterial               | E                 | D                 |

**\*According to a TIA conducted in 2009**

| Access                               | Roadway Classification | Projected LOS AM (D18 zoning)* | Projected LOS PM (D18 zoning)* |
|--------------------------------------|------------------------|--------------------------------|--------------------------------|
| North Douglas Highway Roundabout     | Minor Arterial         | F                              | E                              |
| 10 <sup>th</sup> & Egan intersection | Arterial               | F                              | F                              |

**\*Projections from a TIA conducted in 2009**

### **COMMUNITY SERVICES**

The table below summarizes community services that may be affected by the proposed rezone.

| <b>Service</b> | <b>Summary</b>   |
|----------------|--|
| Water/Sewer    | Public; provided by CBJ  |
| Fire Service   | Capital City Fire Rescue   |
| Schools        | Sayéik: Gastineau Community School, Juneau-Douglas High School, Dzantik'i Heeni Middle School; Juneau Community Charter School |

### **ENVIRONMENTAL, CONSERVATION, HISTORIC, AND ARCHEOLOGICAL RESOURCES**

The table below summarizes environmental, conservation, historic, and archeological resources that may be affected by the proposed rezone.

| <b>Resource</b> | <b>Summary</b> |
|-----------------|----------------|
| Conservation    | No             |
| Wetlands        | No             |
| Anadromous      | No             |
| Historic        | No             |
| Archeological   | No             |

### **CONFORMITY WITH ADOPTED PLANS**

**2013 COMPREHENSIVE PLAN VISION:** *The City and Borough of Juneau is a vibrant State Capital that values the diversity and quality of its natural and built environments, creates a safe and satisfying quality of life for its diverse population, provides quality education and employment for its workers, encourages resident participation in community decisions and provides an environment to foster state-wide leadership.*

**Compliance with the Comprehensive Plan** – The lot has a Comprehensive Plan future land use designation of Medium Density Residential (MDR) according to Map L of the Comprehensive Plan (Attachment D). This land use designation is described in the Comprehensive Plan as follows:

*Medium Density Residential – These lands are characterized by urban residential lands for multifamily dwelling units **at densities ranging from 5 to 20 units per acre**. Any commercial development should be of a scale consistent with a residential neighborhood, as regulated in the Table of Permissible Uses (CBJ 49.25.300). (emphasis added)*

The proposed rezone of the lot is located within Subarea 9: Douglas & West Juneau of the Comprehensive Plan. The community form of this subarea is designated as Urban in downtown Douglas and West Juneau. The Comprehensive Plan provides guidelines and considerations for this subarea that apply specifically to this rezone request:

1. *Provide for additional medium- to high-density residential development in areas with access to arterials and served by municipal sewer and water and adequate road and intersection capacity **(to Level of Service D or better)**. (emphasis added)*

8. Future development in North Douglas, West Juneau or downtown Douglas will require improvements to the Tenth Street and Egan Drive intersection and may require additional traffic capacity on the Juneau-Douglas Bridge. The two congestions points limit additional residential development on Douglas Island and impede CBJ's progress in promoting and facilitating the construction of affordable housing. The Juneau-Douglas Bridge has limited capacity for a number of reasons. A traffic circle was installed at the North Douglas Highway terminus of the Juneau-Douglas Bridge; this increased the capacity and lessened congestion from Cordova Street and southbound traffic from north of the bridge area, however, the design capacity at the Tenth Street and Egan Drive intersection continues to function at unacceptable congested Levels of Service E & F in the peak weekday morning periods. The CBJ should work with ADOT&PF to upgrade the Tenth Street and Egan Drive intersection as a top priority.

Guideline 1 above discusses the provision of additional residential development in the area – when development is serviced by adequate public facilities. The CBJ Roadway Classification Map identifies North Douglas Highway as a Minor Arterial roadway. This lot is zoned D15, which is considered medium density and meets Guideline 1.

As discussed above, the intersection of North Douglas highway and the roundabout is currently operating at an E grade LOS for the AM and D grade LOS for the PM peak hours according to a TIA completed in 2009 (Attachment E). For this reason, the proposed rezone from D15 to GC would not be in general conformity with guideline one for Subarea 9.

Chapter 8 of the Comprehensive Plan also speaks to traffic and identifies transportation related issues, which include:

1. Key roadway intersections and bridge capacities are overburdened and inadequate to support increased development in the Mendenhall Valley and on Douglas Island. The signalized intersection of Egan Drive and Mendenhall Loop Road experiences the lowest and most congested Level of Service (LOS F) in the peak morning commute period (2003 ADOT&PF data) and 16 non-signalized intersections experience unacceptable levels of service (LOS D or worse) in the Mendenhall Valley, Glacier Highway and Egan Drive Corridors. Traffic congestion at Tenth Street and Egan Drive is at a LOS E and F during the peak morning commute period and Cordova Street and Douglas Highway is at LOS F in the peak morning period. **Motorists in areas with LOS D, E, or F experience significant delays in their commute times; those neighborhoods cannot accommodate additional peak hour single-occupancy vehicle traffic related to increased development without noticeable decreased livability and quality of life.** In those areas, staggered work hours for downtown workers, roadway and intersection improvements, and transit improvements are needed and should be analyzed, budgeted and included within the ADOT&PF Needs List for subsequent listing in the State Transportation Improvement Program (STIP) as soon as possible to await their turn in the STIP funding cycle. (Emphasis added)

| <b>2013 COMPREHENSIVE PLAN</b> - The proposed rezone to GC is not in compliance with the 2013 Comprehensive Plan; staff recommendation of D15(T)LC could be in conformance with access improvements and a Land Use Map amendment. |          |            |   |
|---|----------|------------|---|
| Chapter   | Page No. | Item       | Summary   |
| 3   | 19       | Policy 3.1 | TO BALANCE AVAILABILITY OF SUFFICIENT LAND WITHIN THE DESIGNATED URBAN SERVICE AREA BOUNDARY THAT IS SUITABLY LOCATED AND PROVIDED WITH THE APPROPRIATE PUBLIC SERVICES AND FACILITIES TO MEET THE COMMUNITY'S FUTURE GROWTH NEEDS AND THE PROTECTION OF NATURAL RESOURCES, FISH AND WILDLIFE HABITAT AND SCENIC CORRIDORS. |

|   |     |                   |   |
|---|-----|-------------------|---|
| <b>2013 COMPREHENSIVE PLAN</b> - The proposed rezone to GC is not in compliance with the 2013 Comprehensive Plan; staff recommendation of D15(T)LC could be in conformance with access improvements and a Land Use Map amendment. |     |                   |   |
| 4   | 37  | Policy 4.2        | <i>TO FACILITATE THE PROVISION OF AN ADEQUATE SUPPLY OF VARIOUS HOUSING TYPES AND SIZES TO ACCOMMODATE PRESENT AND FUTURE HOUSING NEEDS FOR ALL ECONOMIC GROUPS.</i>  |
| 4   | 37  | Policy 4.2 – SOP1 | <i>Designate on the Comprehensive Plan Land Use Maps adequate sites and supporting infrastructure within the Urban Service Area Boundary to accommodate a diversity of housing types, size, price, and types of neighborhood scale and character to satisfy the desires of all residents.</i>   |
| 4   | 38  | Policy 4.3        | <i>TO DESIGNATE ON LAND USE MAPS AN ADEQUATE SUPPLY OF BUILDABLE LAND WITHIN THE URBAN SERVICE AREA, AND PARTICULARLY ALONG TRANSIT CORRIDORS, FOR RESIDENTIAL USE AT DENSITIES THAT CAN PRODUCE HOUSING AFFORDABLE TO ALL ECONOMIC GROUPS.</i>   |
| 4   | 41  | Policy 4.8        | <i>TO BALANCE THE PROTECTION AND PRESERVATION OF THE CHARACTER AND QUALITY OF LIFE OF EXISTING NEIGHBORHOODS WITHIN THE URBAN SERVICE AREA WHILE PROVIDING OPPORTUNITIES FOR A MIXTURE OF NEW HOUSING TYPES.</i>  |
| 8   | 114 | Policy 8.6 DG3    | <i>Require sidewalks and bicycle paths along roadways where higher-density housing is to be provided as a condition of a rezoning application for higher densities</i>  |
| 8   | 114 | Policy 8.6 IA2    | <i>Work with the Alaska Department of Transportation and Public Facilities (ADOT&amp;PF) to construct sidewalks and/or separated paths. If these are not practical, a wide shoulder of at least 48” along roads that lack such improvements, with a priority given to those corridors which have Average Annual Daily Traffic (AADT) of 4,000 vehicles or more. According to ADOT&amp;PF 2010 data, these corridors are:</i> <ul style="list-style-type: none"> <li>• <i>North Douglas Highway – Juneau Douglas Bridge to Eagle Creek – 5,508 AADT</i></li> </ul> |
| 10  | 131 | Policy 10.3       | <i>10.3. TO FACILITATE RESIDENTIAL DEVELOPMENTS OF VARIOUS TYPES AND DENSITIES THAT ARE APPROPRIATELY LOCATED IN RELATION TO SITE CONDITIONS, SURROUNDING LAND USES, AND CAPACITY OF PUBLIC FACILITIES AND TRANSPORTATION SYSTEMS AFFORDABLE TO ALL ECONOMIC GROUPS.</i>  |
| 10  | 132 | Policy 10.4       | <i>POLICY 10.4. TO MINIMIZE CONFLICTS BETWEEN RESIDENTIAL AREAS AND NEARBY RECREATIONAL, COMMERCIAL, OR INDUSTRIAL USES THAT WOULD GENERATE ADVERSE IMPACTS TO EXISTING RESIDENTIAL AREAS THROUGH APPROPRIATE LAND USE LOCATIONAL DECISIONS AND REGULATORY MEASURES.</i>  |
| 10  | 132 | Policy 10.4 – IA1 | <i>Seek to reduce or eliminate conflicts between medium or high density residential uses in established low density residential neighborhoods by encouraging the design of higher density housing to be compatible in scale, massing and orientation with</i>   |

|   |  |  |   |
|---|--|--|---|
| <b>2013 COMPREHENSIVE PLAN</b> - The proposed rezone to GC is not in compliance with the 2013 Comprehensive Plan; staff recommendation of D15(T)LC could be in conformance with access improvements and a Land Use Map amendment. |  |  |   |
|   |  |  | <i>the adjacent, lower-density housing and to hide or screen the parking behind or within the structure(s).</i> |

The above listed policies of the Comprehensive Plan acknowledge the need for additional housing in Juneau, while balancing the need for adequate public infrastructure, including roads, water, and sewer. Additionally, the Plan identifies a need to facilitate varying densities while resolving conflicts between single-family neighborhoods and other types of development. The proposed rezone request to GC would also allow commercial development for which there may not be adequate public infrastructure, especially in regards to traffic and access. Staff finds the following aspects of the rezone request are not consistent with the CBJ Comprehensive Plan:

- The lot being reviewed presently lacks sufficient transportation infrastructure to accommodate higher residential densities or more intensive commercial development.
- Does not reduce or eliminate conflict between commercial development or medium/high density residential uses in an area where the built density is low.
- North Douglas Highway lacks sidewalks and bike lanes that are important for providing access to commercial or medium/high density residential development.

If additional public infrastructure is provided to the lot and surrounding area, LC zoning would be appropriate according to the Comprehensive Plan Policies *with a Land Use Designation amendment*. Examples of this additional public infrastructure may include the Douglas Bench Road, a second crossing in North Douglas, or improvements to the Douglas roundabout and the 10<sup>th</sup> and Egan intersection. The purpose of this infrastructure is to ensure that any additional higher density development would improve, and not aggravate, existing issues with traffic flow and pedestrian safety.

GC zoning would not be appropriate based on the MDR Land Use Designation. Based on the analysis herein, staff recommends the Planning Commission create a transition zone, which would allow the lot to be upgraded to LC when additional public infrastructure is provided. The LC zoning would create an appropriate transition from the GC zone to the north and the lower density residential zones that surrounds the lot to the west and south.

**AGENCY REVIEW**

CDD conducted an agency review comment period between 02/16/2021 – 03/20/2021. Agency review comments can be found in Attachment F.

| <b>Agency</b>                       | <b>Summary</b>  |
|-------------------------------------|---|
| CBJ Streets                         | No comments at this time.   |
| CBJ Assessor                        | No comments received as of the writing of this report.  |
| Alaska Department of Transportation | <i>Traffic &amp; Safety - The denser 50 du/acre may trigger the requirement for a traffic impact analysis. These are required when a proposed development is expected to generate over 100 trips in a peak hour.</i><br><br><i>Planning – Planning concurs with traffic/safety that a TIA may be required and which may result in some necessary mitigating action. We have concerns about the ability of North Douglas Highway and the bridge to handle the additional traffic. As well, high density development without any sidewalks could prove problematic.</i> |

| Agency                   | Summary   |
|--------------------------|---|
|                          | <p><i>That all said, the TIA is the appropriate process to move forward with analysis of impacts.</i></p> <p><i>ROW – No objection to the rezone request. We require submission of a driveway/approach road application for any changes in zoning designation or plans to create access onto state travel ways. As such, TDLH, LLC must submit an application for an approach road within Permits for our review and adjudication.</i></p> <p><i>ROW would most likely not approve an easement request. However the applicant may also consider applying for an Encroachment Permit or Right of Way Use Agreement to fill additional needs. An encroachment would be assessed economic rent and any use agreement would be thoroughly reviewed by our DOT&amp;PF department review team. The application must comply with all federal, state, and local statutes or regulations.</i></p> <p><i>It is best to reach out to ROW during the approach road planning stage before applying for a permit. This way we may assist in steering the applicant away from impermissible designs. It would also be prudent to consult with DOT Traffic &amp; Safety during this time.</i></p> |
| General Engineering      | GE has no issues nor comments regarding this permit.  |
| Building                 | No issues with this project at this time.   |
| Capital City Fire/Rescue | No comments received as of the writing of this report.  |

**PUBLIC COMMENTS**

CDD conducted a public comment period between 03/11/2021 – 04/12/2021; CDD staff held a neighborhood meeting on 03/11/2021. Public notice was mailed to property owners within 500 feet of the proposed rezone. A public notice sign was also posted on-site two weeks prior to the scheduled hearing (Attachment B). Full public comments submitted at time of writing this staff report can be found in Attachment G.

| Name         | Summary  |
|--------------|--|
| Margo Waring | <p>Concerns: Limited road frontage on a low-visibility curve, with longer turn times for larger vehicles. Encourage sharing an easement with a neighboring lot.</p> <p>Encourage requiring an easement for the bench road. Prohibit mining and similar extraction that will cause large vehicle traffic.</p> |

**ZONE CHANGE OPTIONS AND ALTERNATIVES**

As stated in CBJ 49.75.130(a), the Commission may recommend approval, approval with modifications or denial of a rezone request. The Commission may recommend approval to the Assembly for different zoning districts than what is requested by the applicant or recommended by staff. Additionally, the Commission can recommend modifications to the boundaries of the area to be rezoned. This means that if the Commission wishes to do so, the zoning district boundary line may be moved from its current location, as long as it is found to be in substantial conformance with the Comprehensive Plan and Title 49 – Land Use Code. Zoning district boundary lines are intended to follow property lines, centerlines of streets, alleys, streams (CBJ 49.25.110(f)).

**Staff analysis includes the LC zoning district as an alternative to the applicant's request. Staff recommends the Planning Commission recommend the lot be rezoned from D15 to D15(T)LC with a Land Use Map amendment from MDR to HDR.**

## **FINDINGS**

In accordance with CBJ 49.75 the Director makes the following findings on the proposed rezone from D15 to GC zoning:

**1. *Was the rezone application filed timely in accordance with CBJ 49.75.110?***

**Analysis:** No additional analysis required.

**Finding:** **Yes.** The rezone application was filed in January 2021.

**2. *Was adequate public notice provided in accordance with CBJ 49.75.110?***

**Analysis:** CDD staff held a public meeting on 03/11/2021, and mailed written notice to property owners within 500 feet of the proposed rezone. A public notice sign was posted on the site two weeks prior to the scheduled hearing.

**Finding:** **Yes.** Adequate public notice was provided in accordance with CBJ 49.75.110.

**3. *Is this request for an area covering more than two acres or an expansion of an existing zoning district as required by CBJ 49.75.120?***

**Analysis:** The rezone request is for 15.41 acres.

**Finding:** **Yes.** The proposed rezone meets the minimum area required by CBJ 49.75.120.

**4. *Has no similar request been made within the previous 12 months as required by CBJ 49.75.120?***

**Analysis:** No additional analysis required.

**Finding:** **Yes.** No similar rezone request has been filed within the previous 12 months for any of the rezone options.

**5. *Is the proposed zoning district and the uses allowed therein found to be in substantial conformance with the land use maps of the comprehensive plan and policies of the comprehensive plan, in accordance with CBJ 49.75.120?***

**Analysis:** The rezone request from D15 to GC is not in substantial conformance with the land use maps of the comprehensive plan and policies of the comprehensive plan, in accordance with CBJ 49.75.120. GC zoning is not in conformance with the MDR Land Use Map Designation. MDR provides for 5 to 20 DU/acre; GC zoning allows for up to 50 DU/acre.

**Finding:** **No.** The proposed rezone is not in substantial conformance with the land use maps and policies of the comprehensive plan.

**6. Is the proposed zoning district and the uses allowed therein found to be in substantial conformance with Title 49 – Land Use Code, in accordance with CBJ 49.75.120?**

**Analysis:** CBJ 49.75.120 Restrictions on rezonings, states:

*Rezoning requests covering less than two acres shall not be considered unless the rezoning constitutes an expansion of an existing zone. Rezoning requests which are substantially the same as a rezoning request rejected within the previous 12 months shall not be considered. A rezoning shall only be approved upon a finding that the proposed zoning district and the uses allowed therein are in **substantial conformance with the land use maps of the comprehensive plan.** (emphasis added)*

The proposed rezone from D15 to GC is not in substantial conformance with Title 49 Land Use Code. As stated above, the MDR Land Use Map Designation supports density of 5 to 20 DU/acre; GC exceeds this density allowing for up 50 DU / acre.

**Finding: No.** The proposed rezone is not in substantial conformance with Title 49 – Land Use Code.

**RECOMMENDATION**

Staff recommends the Planning Commission ADOPT the Director's analysis and findings and forward a recommendation of APPROVAL to the Assembly for a rezone from D15 to D15(T)LC.

The approval for completion of the transition zone subject to the following condition:

1. Prior to upgrading the zoning from D15 to LC, additional public infrastructure must be constructed. This may include the Douglas Bench Road, a second crossing in North Douglas, or improvements to the Douglas roundabout and the 10<sup>th</sup> and Egan intersection. The purpose of this infrastructure is to ensure that any additional higher density development would improve, and not aggravate, existing issues with traffic flow and pedestrian safety.
2. Prior to upgrading the zoning from D15 to LC, a Comprehensive Land Use Designation Map amendment is required from MDR to HDR.

**STAFF REPORT ATTACHMENTS**

| <b>Item</b>         | <b>Description</b>  |
|---------------------|---|
| <b>Attachment A</b> | Application Packet  |
| <b>Attachment B</b> | Abutters Notice and Public Notice Sign Photo                        |
| <b>Attachment C</b> | Permissible Use Comparison Table                                    |
| <b>Attachment D</b> | Comp Plan Map   |
| <b>Attachment E</b> | 2009 Traffic Impact Analysis – North Douglas Highway and roundabout |
| <b>Attachment F</b> | Agency Comments   |
| <b>Attachment G</b> | Public Comments   |
| <b>Attachment H</b> | Additional Materials  |



# Attachment A - Application Packet



## DEVELOPMENT PERMIT APPLICATION

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

|  |  |  |  |
|--|--|--|--|
| <b>PROPERTY LOCATION</b>   |  |  |  |
| Physical Address<br><b>0 North Douglas Highway</b>   |  |  |  |
| Legal Description(s) (Subdivision, Survey, Block, Tract, Lot)<br><b>Channel View Lot 1</b>   |  |  |  |
| Parcel Number(s)<br><b>6D0601150011</b>  |  |  |  |
| <input type="checkbox"/> This property located in the downtown historic district<br><input type="checkbox"/> This property located in a mapped hazard area, if so, which _____   |  |  |  |
| <b>LANDOWNER/ LESSEE</b>   |  |  |  |
| Property Owner<br><b>TDLH, LLC</b>   |  | Contact Person<br><b>Travis Arndt</b>          |  |
| Mailing Address<br><b>10840 Lilac Drive, Juneau, AK 99801</b>  |  | Phone Number(s)<br><b>907-321-3118</b>         |  |
| E-mail Address<br><b>constellation_dev@hotmail.com</b>   |  |  |  |
| <b>LANDOWNER/ LESSEE CONSENT</b> <span style="float: right; font-size: small;">Required for Planning Permits, not needed on Building/ Engineering Permits</span>   |  |  |  |
| 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.  |  |  |  |
| <b>X</b>   | <b>Travis Arndt</b><br>_____<br>Landowner/Lessee Signature | <b>1/5/2021</b><br>_____<br>Date               |  |
| <b>X</b>   | _____<br>Landowner/Lessee Signature                        | _____<br>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. |  |  |  |
| <b>APPLICANT</b> <span style="float: right; font-size: small;">If the same as OWNER, write "SAME"</span>   |  |  |  |
| Applicant<br><b>SAME</b>   |  | Contact Person                                 |  |
| Mailing Address  |  | Phone Number(s)                                |  |
| E-mail Address   |  |  |  |
| <b>X</b>   | <b>Travis Arndt</b><br>_____<br>Applicant's Signature      | <b>1/24/21</b><br>_____<br>Date of Application |  |

To be completed by Applicant

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

RECEIVED  
JAN 25 2021  
Permit Center/CDD

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<br>             |
| Date Received<br><b>1/25/21</b> |

|                                  |
|----------------------------------|
| Case Number<br><b>AME 21-001</b> |
|----------------------------------|

# Attachment A - Application Packet



## ZONE CHANGE 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**  
Rezone Channel View Lot 1

**IS THIS AN EXPANSION OF AN EXISTING ZONE?**  Yes  No

Total Land Area of Proposed Change 15.41 acres Comprehensive Plan Land Use Designation MDR adjoining C

Current Zone(s) D15 Comprehensive Plan Map Letter L

New Zone Requested GC, GC/LC, or LC

**TYPE OF ZONE CHANGE REQUESTED**  Regular  Transition

**Has this or a similar zone change been requested in the previous 12 months?**  Yes Case # \_\_\_\_\_  No

**UTILITIES AVAILABLE** WATER:  Public  On Site SEWER:  Public  On Site

**ALL REQUIRED MATERIALS ATTACHED**

- Complete application
- Pre-Application Conference notes
- Narrative including:
  - Purpose of the requested zone change
  - Any potential impacts to public infrastructure (streets, water, & sewer)
  - How the requested zone change comply with the maps and policies of the Comprehensive Plan
- Site Plan and/or map of proposed zone change (details on reverse side)

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

| ZONE CHANGE FEES       | Fees             | Check No.            | Receipt | Date |
|------------------------|------------------|----------------------|---------|------|
| Application Fees       | \$ <u>600.00</u> | <u>49.85.100 (9)</u> |         |      |
| Admin. of Guarantee    | \$ _____         |                      |         |      |
| Adjustment             | \$ _____         |                      |         |      |
| Pub. Not. Sign Fee     | \$ <u>50.00</u>  |                      |         |      |
| Pub. Not. Sign Deposit | \$ <u>100.00</u> |                      |         |      |
| <b>Total Fee</b>       | \$ _____         |                      |         |      |

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  |
|-------------------|----------------|
| <u>AmE 21-001</u> | <u>1/25/21</u> |

# Attachment A - Application Packet

## Zone Change Application Information

Zone changes are outlined in CBJ 49.75 article I

**Pre-Application Conference:** A pre-application conference is encouraged prior to submitting an application. The applicant shall meet with City & Borough of Juneau (CBJ) staff to discuss the Zone Change process and analysis. To schedule a pre-application conference, please contact the Permit Center at 586-0770 or via email at [Permits@juneau.org](mailto:Permits@juneau.org).

**Application:** An application for a Zone Change will not be accepted by the CBJ until it is determined to be complete. **Zone Change may only be applied for during January and July.** The items needed for a complete application are:

1. **Forms:** Completed Zone Change Application and Development Permit Application.
2. **Fees:** The fee for Zone Change Application is \$600.00. No work can be approved with a Zone Change. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the purpose for the requested zone change.
4. **Plans:** A site plan showing the following information:
  - A. The boundaries of the existing and proposed zone change and proposed buffers;
  - B. The location of existing structures (i.e. buildings, fences, signs, parking areas, etc.); and
  - C. The location of existing physical features of the site (i.e. drainage, topography, eagle trees, hazard areas, salmon streams, wetlands, etc.).
5. A traffic study may be required for zone changes.

**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).

**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:** 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 Zone Change 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 Zone Change.**

**Hearing:** Once an application has been reviewed by all applicable parties the Community Development Department will schedule the zone change for the next appropriate Planning Commission meeting. All Zone Change Applications will be reviewed by the Planning Commission who will send a recommendation to the Assembly. Following a recommendation of approval by the Planning Commission, the Community Development Department will coordinate the zone change review by the Assembly. In order for zone changes to become effective, they must be adopted by ordinance by the CBJ Assembly.

**Public Notice Responsibilities:** All Zone Change requests must be given the following public notice as outlined in CBJ 49.15.230:

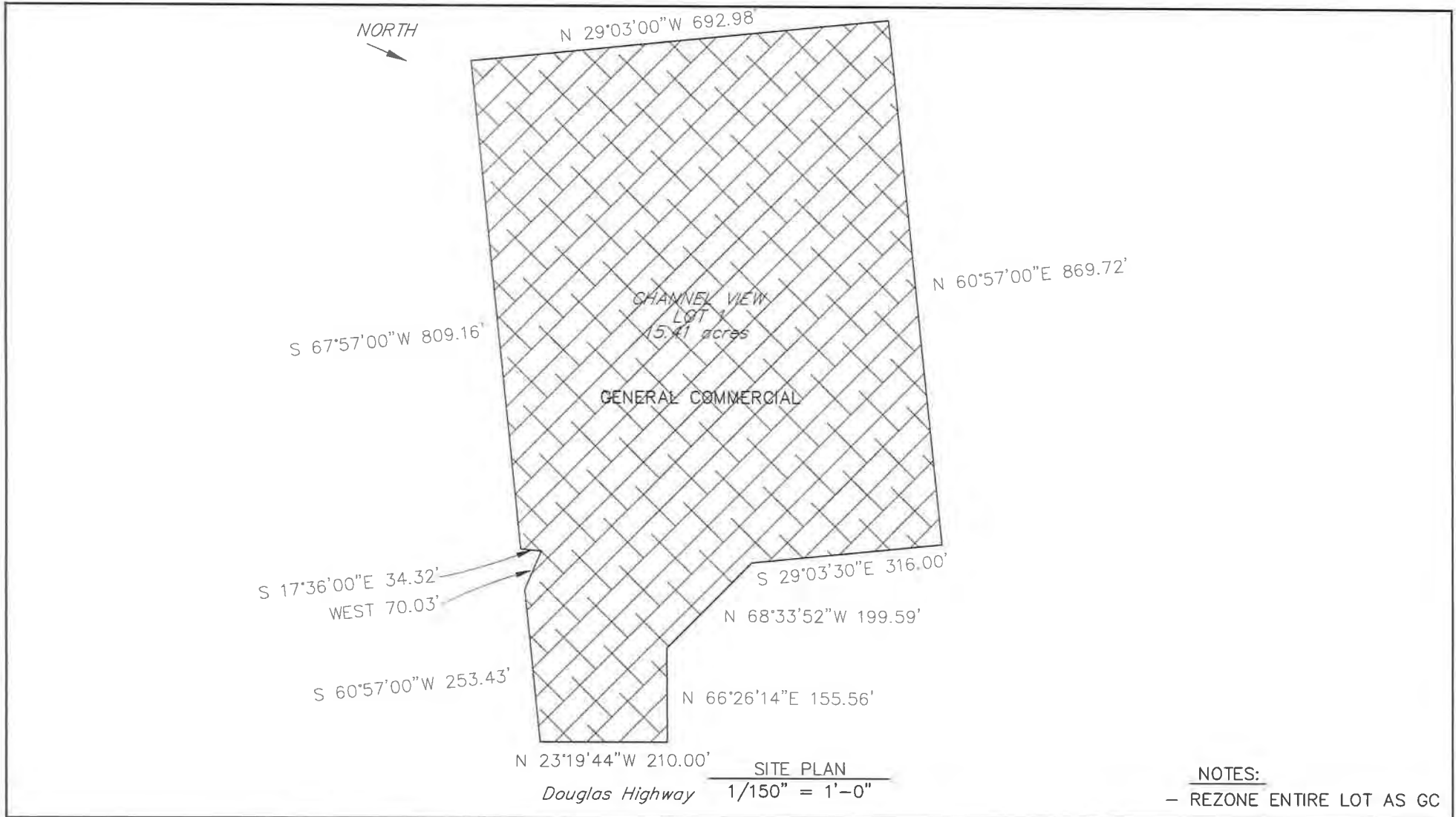
**Community Development Department:** Will give notice of the pending Planning Commission meeting and its agenda in the local newspaper a minimum of 10-days prior to the meeting. Furthermore, the department will mail notices to all property owners within 500-feet of the project site.

**The Applicant** will post a sign on the site at least 14 days prior to the meeting. The sign shall be visible from a public right-of-way or where determined appropriate by CDD. Signs may be produced by the Community Development Department for a preparation fee of \$50, and a \$100 deposit that will be refunded in full if the sign is returned within seven days of the scheduled hearing date. If the sign is returned between eight and 14 days of the scheduled hearing \$50 may be refunded. The Applicant may make and erect their own sign. Please contact the Community Development Department for more information.

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**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

# Attachment A - Application Packet



# CONSTELLATION DEVELOPMENT

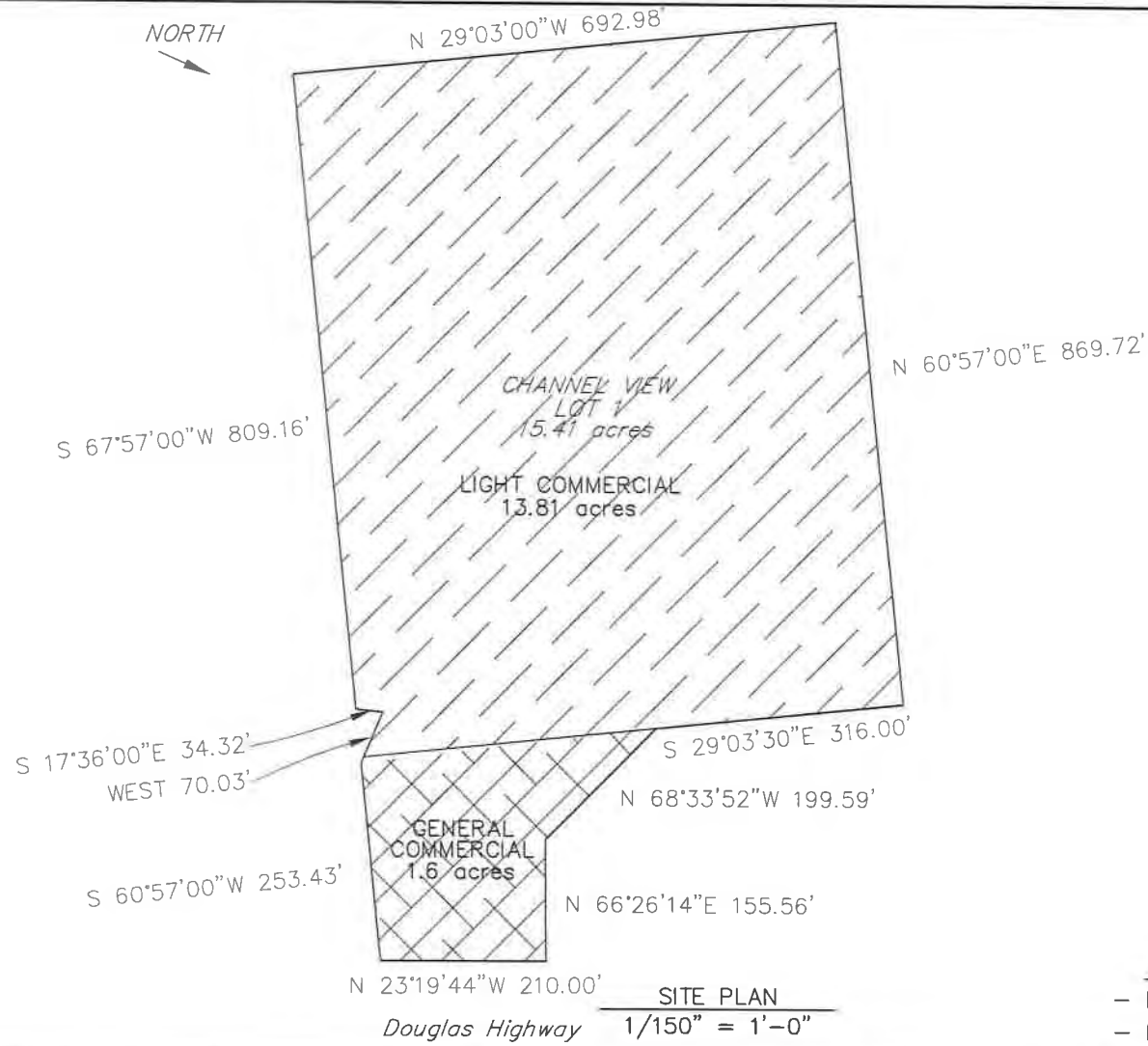
Lot 1

Channel View Subdiv.

SITE PLAN - Alt. A

10840 Lize Drive  
Jensen, AK 99021  
907-321-3116

# Attachment A - Application Packet



NOTES:

- REZONE FRONT 1.6 acres AS GC
- REZONE REAR 13.81 acres AS LC

# CONSTELLATION DEVELOPMENT

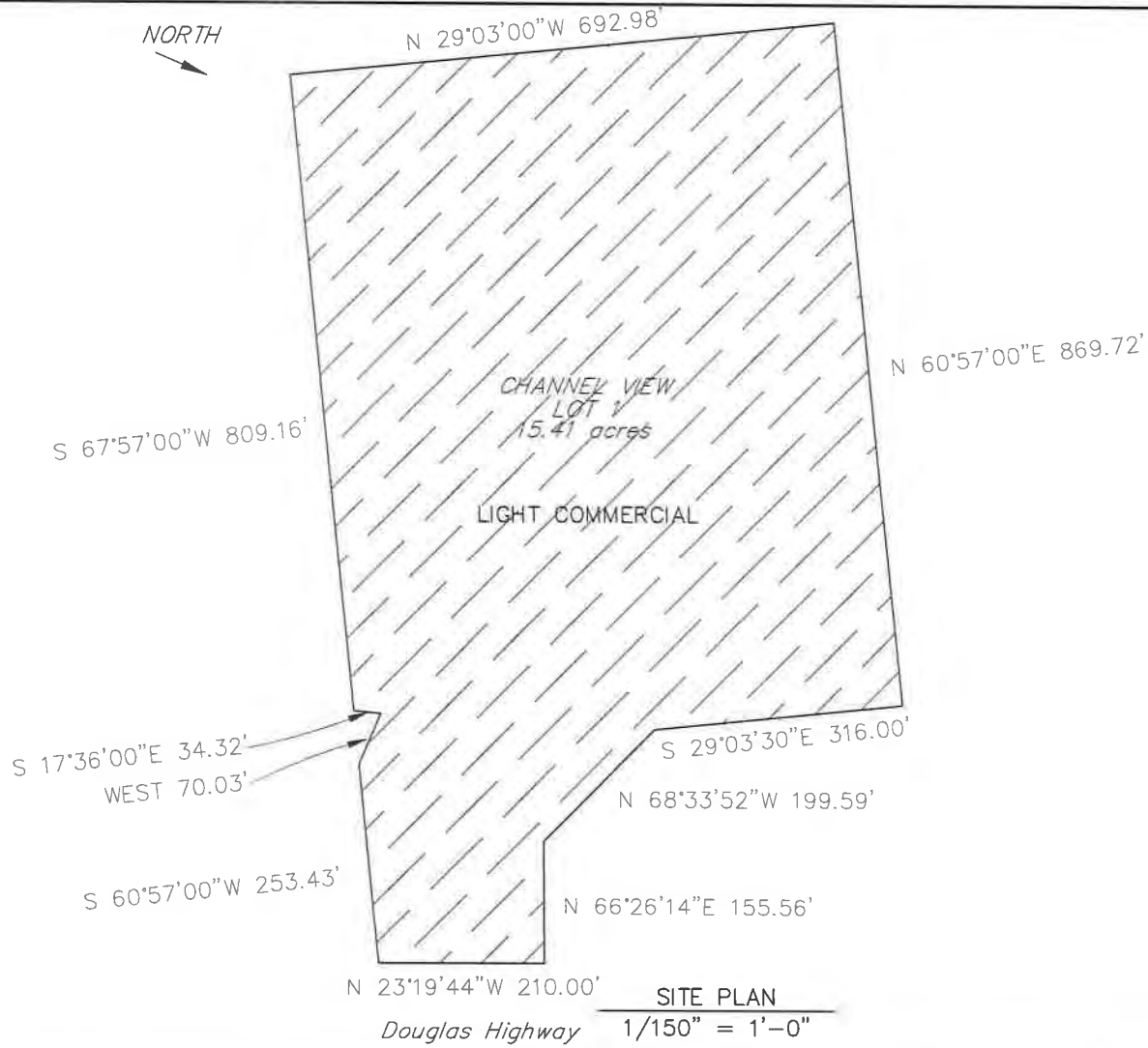
Lot 1

Channel View Subdiv.

SITE PLAN - Alt. B

10940 Lize Drive  
Jupiter, AK 33057  
907-221-3118

# Attachment A - Application Packet



# CONSTELLATION DEVELOPMENT

Lot 1

Channel View Subdiv.

SITE PLAN - Alt. C

10840 Lisco Drive  
Jupiter, FL 33408  
907-321-3118

## Attachment A - Application Packet

Parcel #: 6D0601150011

Legal Description: Channel View Subdivision Lot 1

Size: 15.41 Acres

Current Zoning: D15

Desired Zoning: GC, GC with LC, or LC

We desire to have our lot rezoned preferably to General Commercial - Alternate A, if not then a combination of General Commercial (GC) in front with Light Commercial in the rear - Alternate B, else Light Commercial (LC) - Alternate C.

The Comprehensive Plan designates our lot as MDR. Our lot also abuts an area with a C designation. Further, the abutting lot with the commercial designation was formally part of what is our lot. That subdivided portion of the lot is designated MDR and C and zoned entirely General Commercial (GC). The area designations within the Comprehensive Plan are intended to be painted with a wide brush across areas as opposed as to granularly along lot lines. There are no natural or man-made features that would create logical barriers to extending the zoning to our location. Thus, the continuation of the C designation to include our lot would be an appropriate interpretation of the Comprehensive Plan areas. The use of a wide brush for interpretation of abutting areas within the Comprehensive Plan has been previously demonstrated applicable. Further, investigation of lots within the immediate area shows lots within the MDR designation that have been zoned Commercial (Rear half of Parcel 6D0601150012) and Waterfront Commercial (Parcels 6D0701000041, 6D0701000042, 6D0701000043, 6D0701000044) without changing the comprehensive plan designation. Thus, you have to look no further than our neighbors for approved existing examples of what I am asking for and that the rezone request is within substantial conformance with the land use maps of the comprehensive plan.

The lot is served by public water and sewer service (located within the urban service area boundary - USAB). The comprehensive plan suggests efficiently developing land within the USAB to medium to high density affordable housing or mixed residential and commercial developments wherever possible and practicable. Rezoning our lot would allow us to create a mixed-use development combining residential (medium to high density) with less intrusive commercial uses as well. The Comprehensive Plan encourages creating mixed use communities located on the USAB with higher densities of 30-80 units per acre. General Commercial provides for 50 units per acre, while Light Commercial provides for the minimum suggested density of 30 units per acre. Neither zoning district provides for the Comprehensive Plan's upper end of mixed-use community density. Our desire for rezoning is tied to use rather than density. We would like to have the ability to include other compatible uses on the property, one of which are large garages without apartments (commonly called "Boat Condos").

Setbacks are commonly of interest. Looking at the Table of Dimensional Standards, GC has reduced setbacks as compared with the existing D15 zoning. However, since the lot abuts a different zoning district, the more conservative setback would apply. The setbacks along the lot

## Attachment A - Application Packet

lines zoned D15 would remain the same as they are with our current zoning. Therefore, rezoning to GC would not worsen the situation.

Building a mixed-use community would provide for a mix of uses to create affordability and livability within the development. It will allow for a balance of density of residential units and a select few other compatible uses. Thus, rezoning would provide an avenue such that the area is not overwhelmingly dominated with a single use.

Historically, our goal has been to create workforce housing. Here too, our goal would be to create a livable, affordable workforce housing development with varying amenities for the residents and its neighbors. Rezoning the lot will help us to achieve this goal and fill a need outlined in the Comprehensive Plan.



## Attachment A - Application Packet



## Assessor's Database

### Current Owner

TDLH LLC

10840 LILAC DR, JUNEAU AK 99801

**Parcel #:** 6D0601150011

[\(Map\)](#)

**Prev. Owner:**

CONSTELLATION DEVELO

**Use Code:** Vacant

**Address:** 0 N DOUGLAS

HWY

**Site Value:** \$304900.00

**Exempt:** No Data

**No. of Units:** 000

**Garage:** No

**City Water:** Yes

**Exempt Land:** 0

**Year Built:** 0

**Garage Area:** 000000

**City Sewer:** No

**Exempt Building:** 0

**Legal Desc. 1:** CHANNEL

VIEW LT 1

**Building PV:** \$0.00

**Zoning:** -Multi-Family-5,000

sq.ft. minimum lot size -15

units per acre

**Lot Size:** 15.41

**Exempt Total:** 0

**Legal Desc. 2:**

**Total PV:** \$304900.00

**Tax Year:** 2020

**Gross Liv. Area:** 000000 sqft

**Last Trans:** 20190523

**Road/No Road:** Roaded

## Search the Database

Search the database using the search box below. The field accepts any search parameter (owner's name, address, parcel number, year built, etc.).

# Attachment A - Application Packet



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

## Channel View Lot 1 Rezone

Case Number: PAC2020 0069

Applicant: Travis Arndt

Property Owner: TDLH LLC

Property Address: Not assigned

Parcel Code Number: 6D0601150011

Site Size: 671,260 Square Feet (15.41 acres)

Zoning: D15 Residential

Existing Land Use: Vacant

|                  |                   |
|------------------|-------------------|
| Conference Date: | December 23, 2020 |
| Report Issued:   | December 24, 2020 |

## List of Attendees

Note: Copies of the Pre-Application Conference Report will be emailed, instead of mailed, to participants who have provided their email address below.

| Name                              | Title               | Email address  |
|-----------------------------------|---------------------|--|
| Travis Arndt                      | Applicant           | <a href="mailto:constellation_dev@hotmail.com">constellation_dev@hotmail.com</a> |
| Laurel Christian<br>Irene Gallion | Planning            | Laurel.Christian@juneau.org<br>Irene.Gallion@juneau.org                          |
| Kyle Paw                          | General Engineering | Kyle.paw@juneau.org  |

# Attachment A - Application Packet

## Pre-Application Conference Final Report

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### Conference Summary

**Questions/issues/agreements identified at the conference that weren't identified in the attached reports.**

The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

### Planning Division

1. **Zoning** – Zoning districts defined:

- a. **D15:** *The D-10 and D-15, residential districts, are intended to accommodate primarily multifamily residential development at ten and 15 units per acre respectively. These are relatively low-density multifamily districts.*
- b. **Light Commercial (LC):** *The LC, light commercial district, is intended to accommodate commercial development that is less intensive than that permitted in the general commercial district. Light commercial districts are primarily located adjacent to existing residential areas. Although many of the uses allowed in this district are also allowed in the GC, general commercial district, they are listed as conditional uses in this district and therefore require commission review to determine compatibility with surrounding land uses. A lower level of intensity of development is also achieved by stringent height and setback restrictions. Residential development is allowed in mixed- and single-use developments in the light commercial district.*
- c. **General Commercial (GC):** *The GC, general commercial district, is intended to accommodate most commercial uses. Commercial activities are permitted outright in the zone except for those few uses that are listed as conditional uses to ensure compatibility. Residential development is allowed in mixed- and single-use developments in the general commercial district.*

2. **CBJ 49.25.400 Dimensional Standards**

| Standard     |             | D15           | LC         | GC         |
|--------------|-------------|---------------|------------|------------|
| Lot          | Size        | 5,000 sq. ft. | 2,000      | 2,000      |
|              | Width       | 50'           | 20'        | 20'        |
|              | Depth       | 80'           | 80'        | 60'        |
| Setbacks*    | Front       | 20'           | 25'        | 10'        |
|              | Rear        | 15'           | 10'        | 10'        |
|              | Side        | 5'            | 10'        | 10'        |
|              | Street Side | 13'           | 17'        | 10'        |
| Lot Coverage |             | 50%           | No maximum | No maximum |
| Height       | Permissible | 35'           | 45'        | 55'        |
|              | Accessory   | 25'           | 35'        | 45'        |

\*Where one zoning district abuts another, the greater of the required setbacks would apply.

3. **CBJ 49.25.500 Density**

|                                  | D15<br>(15 DU/Acre) | LC<br>(30 DU/Acre) | GC<br>(50 DU/Acre) |
|----------------------------------|---------------------|--------------------|--------------------|
| Maximum Number of Dwelling Units | 231                 | 462                | 770                |

- 4. **Access** – Lot has access and frontage on North Douglas Highway; per Plat 98-04 access is restricted to the access easement shared with adjoining lot 2 unless another access is approved by CBJ and ADOT&PF.

# Attachment A - Application Packet

## Pre-Application Conference Final Report

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- a. North Douglas Highway is classified as a Minor Arterial per the CBJ adopted roadway classification maps. If subdivision of the lot occurs, CBJ 49.35.210(c) applies.
5. **Flood** – Not in a mapped flood zone.
6. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – Lot contains some slopes in excess of 18%; a hillside endorsement may be required at time of development.
7. **Wetlands** – Wetlands may exist on the lot; check with ACOE for required development permits.
8. **Habitat** – (Eagle – remind applicant to check with Feds; Riparian, etc.) – Check with the 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.
9. **Plat or Covenant Restrictions** – Plat 98-04:

### NOTES:

1. ACCESS TO THE SUBDIVISION SHALL BE BY COMMON DRIVEWAY UNLESS OTHERWISE APPROVED BY THE CITY AND BOROUGH OF JUNEAU AND ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES. CONSTRUCTION OF A NEW DRIVEWAY AND MINIMUM PARKING AREA MAY BE REQUIRED UPON FURTHER DEVELOPMENT IN THIS SUBDIVISION IN ACCORDANCE WITH CBJ 49.40.138 AND ADOT&PF STANDARDS.
2. THE OWNER/DEVELOPER SHALL OBTAIN PERMITS FROM THE CORPS OF ENGINEERS AND OTHER AGENCIES, AS REQUIRED, PRIOR TO FURTHER DEVELOPMENT OF THE PROPERTY, OR OTHERWISE AFFECTING WETLANDS.
3. EXISTING VEGETATION SHALL BE RETAINED ALONG THE HIGHWAY, OR BERMS AND PLANTING STRIPS SHALL BE PLACED ALONG THE HIGHWAY WHERE FEASIBLE AND PRUDENT, IN ACCORDANCE WITH CBJ 49.70 ARTICLE IX (JUNEAU COASTAL MANAGEMENT PROGRAM). THE OWNER/DEVELOPER MAY PROPOSE TO RETAIN EXISTING VEGETATION OR TO PLACE BERMS AND PLANTING STRIPS; SUCH PROPOSALS SHALL BE SUBJECT TO REVIEW AND APPROVAL IN ACCORDANCE WITH CBJ 49.70 AND OTHER SITE-DEVELOPMENT REQUIREMENTS OF THE CBJ LAND USE CODE AND COMMUNITY DEVELOPMENT REGULATIONS.

- a.
10. **Traffic** – Traffic will be reviewed with a development proposal.
11. **Nonconforming situations** – No known; lot is vacant.
12. **Rezone Process** –
  - a. **A rezone request must be submitted in January or July.**
  - b. The rezone request must be at least two acres or an expansion of an existing zone.
  - c. The applicant should submit the metes and bounds of the area they are requesting to rezone to each designation, if multiple designations are requested.
  - d. The Planning Commission must find: *“the proposed zoning district and the uses allowed therein are in substantial conformance with the land use maps of the comprehensive plan”*.
  - e. Land Use Designation – *Medium Density Residential (MDR): These lands are characterized by urban residential lands for multifamily dwelling units at densities ranging from 5 to 20 units per acre. Any commercial development should be of a scale consistent with a residential neighborhood, as regulated in the Table of Permissible Uses (CBJ 49.25.300).*
  - f. Review Subarea 8 guidelines and policies as well as overall goals and policies of the Comprehensive Plan.
  - g. If the Planning commission supports the rezone, a Notice of Recommendation is forwarded to the Assembly for a final decision [49.75.130(a)].
  - h. If the Planning Commission denies the rezone, a Notice of Decision is issued to the applicant. The applicant may file a protest within 20 days of the date of the decision. If a protest is filed timely, the Assembly will review the rezone request [49.75.130(b)].

# Attachment A - Application Packet

## Pre-Application Conference Final Report

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### Other Applicable Agency Review

13. ADOT&PF may be consulted through review of the rezone request.

### List of required applications

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review. Application can be found on the CDD website: <https://juneau.org/community-development/documents?SF=13&SV=%23application>

1. Development Permit Application
2. Zone Change Application

### Additional Submittal Requirements

Submittal of additional information, given the specifics of the development proposal and site, are listed below. These items will be required in order for the application to be determined Counter Complete.

1. A copy of this pre-application conference report.
2. Narrative describing how the rezone request complies with the Land Use Designation Maps of the Comprehensive Plan, subarea guidelines, and policies from the plan.
3. The metes and bounds of the area they are requesting to rezone to each designation, if more than one designation is requested.
4. Map showing zone change request.

### Exceptions to Submittal Requirements

Submittal requirements staff has determined **not** to be applicable or **not** required, given the specifics of the development proposal, are listed below. These items will **not** be required in order for the application to be reviewed.

1. None

### Fee Estimates

The preliminary plan review fees listed below can be found in the CBJ code section 49.85.

Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

1. Rezone application fee - \$600.00
2. Public notice sign fee - \$50.00 plus \$100.00 refundable deposit

For informational handouts with submittal requirements for development applications, please visit our website at [www.juneau.org/cdd](http://www.juneau.org/cdd).

### Submit your Completed Application

You must submit your application(s) in person with payment made to:

City & Borough of Juneau, Permit Center  
230 South Franklin Street  
Fourth Floor Marine View Center  
Juneau, AK 99801

Phone: (907) 586-0715  
Fax: (907) 586-4529

# Attachment A - Application Packet

## Pre-Application Conference Final Report

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Web: [www.juneau.org/cdd](http://www.juneau.org/cdd)  
Email: [Permits@juneau.org](mailto:Permits@juneau.org)

### Attachments:

49.75.130 Rezoning  
Comprehensive Plan Land Use Designation Map

ARTICLE I. - REZONINGS

49.75.110 - Initiation.

A rezoning may be initiated by the director, the commission, or the assembly at any time during the year. A developer or property owner may initiate a request for rezoning in January or July only. Adequate public notice shall be provided by the director to inform the public that a rezoning has been initiated.

(Serial No. 87-49, § 2, 1987)

49.75.120 - Restrictions on rezonings.

Rezoning requests covering less than two acres shall not be considered unless the rezoning constitutes an expansion of an existing zone. Rezoning requests which are substantially the same as a rezoning request rejected within the previous 12 months shall not be considered. A rezoning shall only be approved upon a finding that the proposed zoning district and the uses allowed therein are in substantial conformance with the land use maps of the comprehensive plan.

(Serial No. 87-49, § 2, 1987; Serial No. 2012-31(b), § 2, 8-27-2012)

49.75.130 - Procedure.

A rezoning shall follow the procedure for a major development permit except for the following:

- (a) The commission shall make a recommendation to the assembly to approve, approve with modifications, or deny a rezoning request. The commission shall prepare written findings in support of its recommendation. The commission's notice of recommendation shall be posted on the department's website within ten days of the public hearing on the proposed rezone. If the commission recommends approval of the rezoning request or approval with modifications, the director shall forward the commission's written recommendation to the assembly with an ordinance to amend the official zoning map in accordance with the recommendation. If the commission recommends denial, the amendment shall be deemed disapproved unless the applicant files a notice of protest in accordance with CBJ 49.75.130(b).
- (b) Protests.
  - (1)

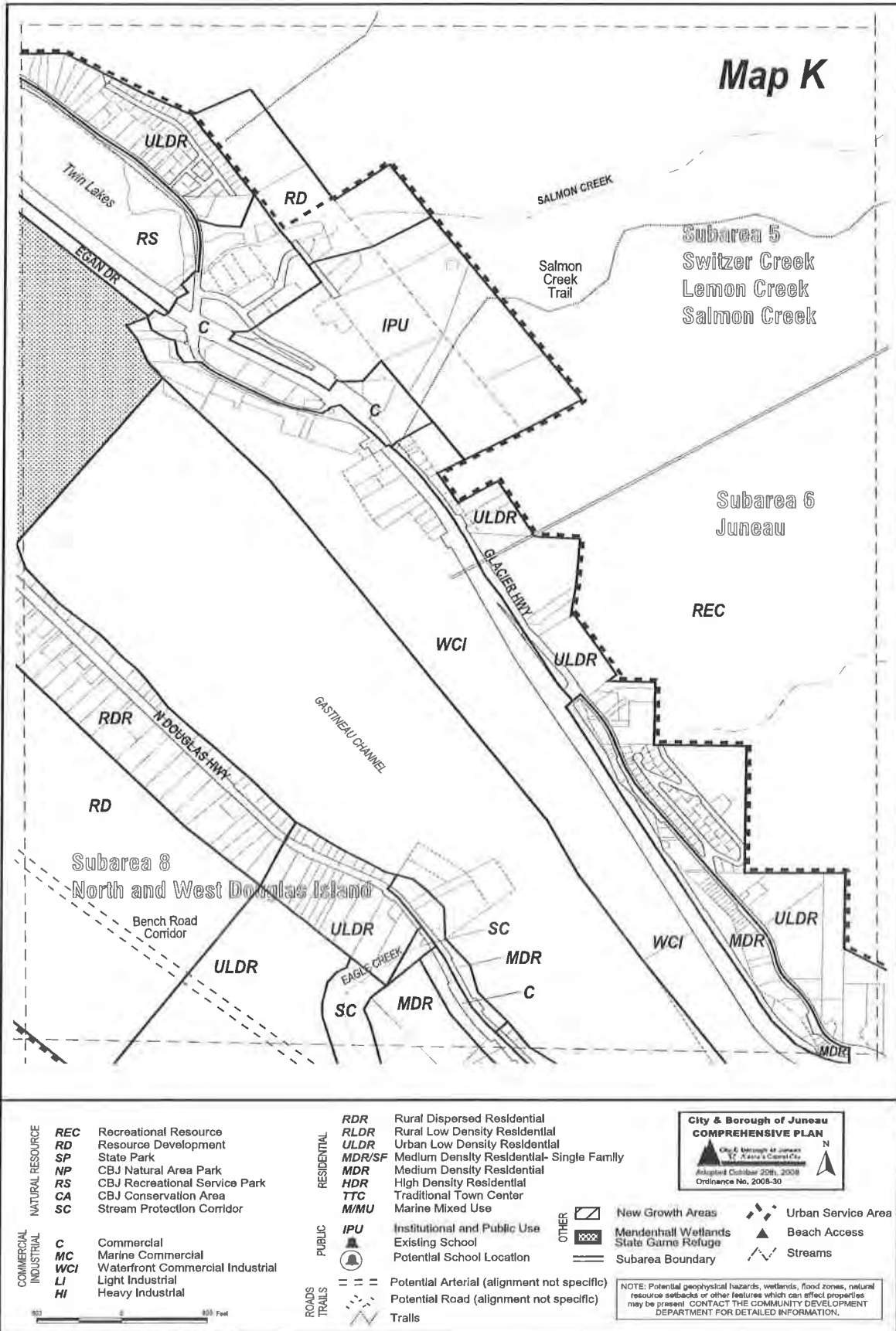
An applicant may protest the commission's recommendation to deny the rezoning by filing a written statement with the municipal clerk within 20 days of the commission's written notice of recommendation for denial, requesting that an ordinance amending the zoning map as set out in the application be submitted for action by the assembly. The director shall, within 30 days of the filing of the protest with the municipal clerk, prepare a draft ordinance to be appended to the notice of recommendation for consideration by the assembly.

- (2) Any person may protest the commission's recommendation to approve a rezoning request or approve a rezoning request with modification by filing a written protest with the municipal clerk within 20 days of the commission's written notice of recommendation.
  - (3) In the case of a timely filed protest and after introduction of the proposed ordinance at a regularly scheduled assembly meeting, the assembly shall hold a public hearing on the proposed rezoning. At the close of the hearing, the assembly shall approve the zoning map amendment as recommended by the commission, approve the zoning map amendment with modifications, or deny the zoning map amendment.
- (c) All rezonings shall be adopted by ordinance, and any conditions thereon shall be contained in the ordinance. Upon adoption of any such ordinance, the director shall cause the official zoning map to be amended in accordance with the adopted ordinance.

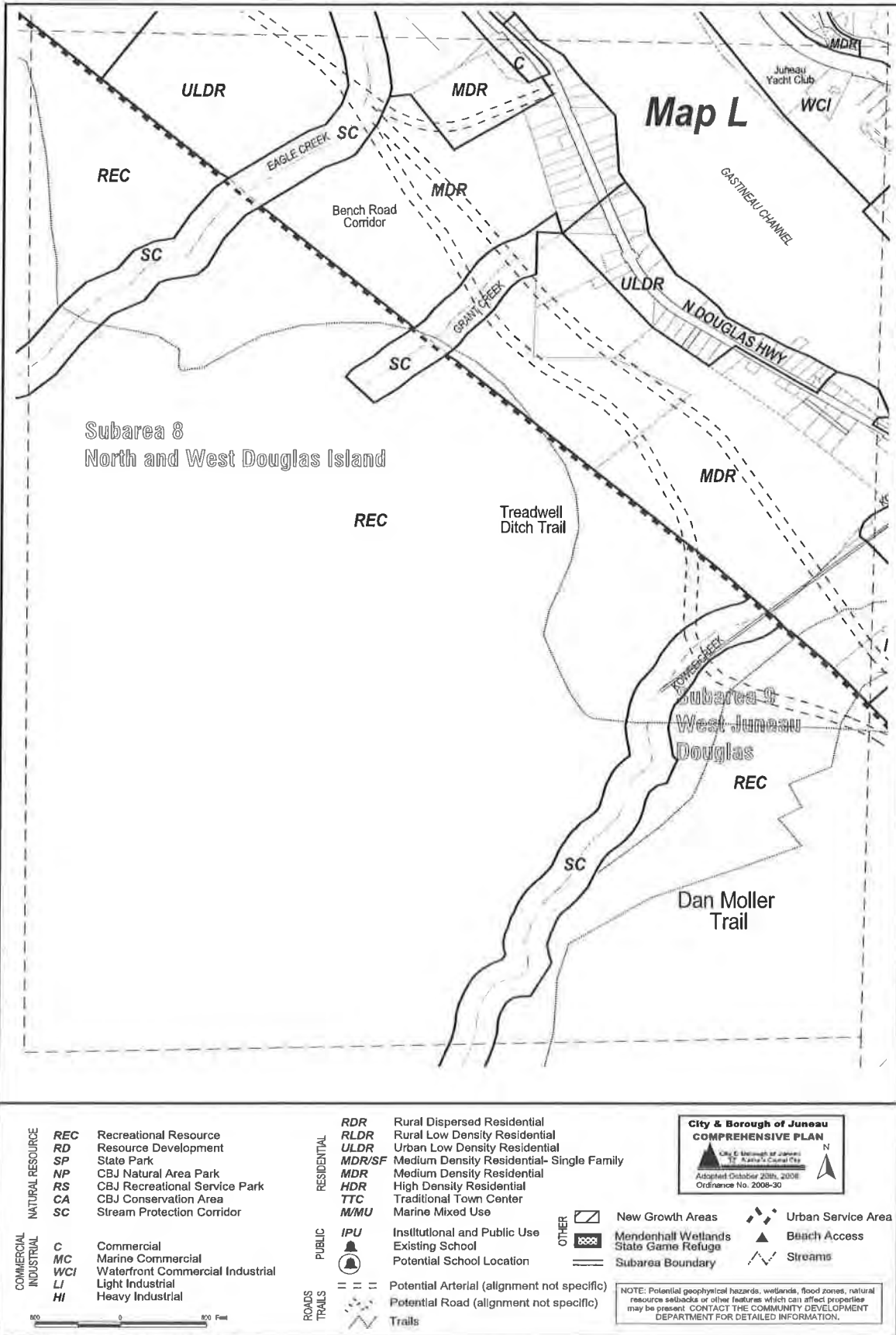
(Serial No. 87-49, § 2, 1987; Serial No. 2012-11, § 2, 4-2-2012; Serial No. 2014-14(c)am, § 2, 4-6-2015, eff. 5-7-2015; Serial No. 2015-03(c)(am), § 57, 8-31-2015)



# Attachment A - Application Packet



# Attachment A - Application Packet



Map 11.1.13

Prepared by: Community Development Department

# Attachment A - Application Packet

## Subarea 8: North & West Douglas Island (Maps I, J, K, L, Q, R, S, & T)

Community Form: Predominantly Rural.

Urban near the Douglas Bridge.

Two New Growth Areas in West Douglas.

### NATURAL RESOURCES AND HAZARDS:

| <i>Type</i>                     | <i>General Location</i>   |
|---------------------------------|---|
| Wildlife (Eagle nests)          | 25 eagle nests along North Douglas shoreline and 60 along West Douglas shoreline (2006 data)  |
| Stream and Lakeshore Corridors  | Eagle, Peterson, Fish, Grant, Falls, Neilsen, Hendrickson, Johnson, Ninemile, and Hilda Creeks  |
| Wetlands/Tidelands              | Shoreline between Fritz Cove and Kowee Creek (including the Mendenhall Wetlands State Game Refuge), along and above North Douglas Highway   |
| Gravel and Mineral Resource     | Small area on lower Fish Creek, area near Juneau-Douglas Bridge, Eagle Creek area   |
| Hazards                         | Flooding: Lower Fish Creek, Lower Peterson Creek, all coastal areas.<br>Landslide/Avalanche: Hendrickson Creek, Upper Fish Creek, and various hillside areas, including the vicinity of Eaglecrest Ski Area |
| Watershed                       | Upper Fish and Hilda Creeks   |
| Cultural and Historic Resources | Treadwell ditch, Cropley Lake, 3rd Cabin area (Dan Moller trail/ Kowee Creek)   |
| Scenic Corridor/Viewshed        | One-quarter mile each side of Fish Creek Rd.;<br>Water side of North Douglas Highway from Fish Creek Park to False Outer Point Beach Access   |
| Adopted Subarea Plans           | West Douglas Concept Plan, Land Use Chapter 6   |

Table 11.8

Recognizing the growth potential of both North and West Douglas, it is important to also recognize the limitations of North Douglas Highway. North Douglas Highway is a two-lane, paved minor arterial roadway with no sidewalk, separated pedestrian pathway or bicycle lane, operated and maintained by the State Department of Transportation and Public Facilities (ADOT&PF). It is also a local access residential street with over 500 private driveways accessing directly to the road. This creates dangers to the local users and those passing through to recreation destinations. Any substantial increase in traffic to the area, either associated with new residential development or increased commercial recreational/tourism use of the area, should be accompanied by the provision of separated pedestrian and bicycle pathways on each side of the road. Furthermore, school buses should be provided pull-outs or other facilities to allow buses to pull out of the travel lane to allow other vehicles to pass after children have safely crossed the street.

Portions of West Douglas Island are designated as New Growth Areas and can accommodate over 2,000 new residential units along with commercial, industrial and recreational facilities. All utilities and services would need to be provided and self-contained within these New Growth Areas once road access is assured. These New Growth Areas are intended for phased development in accordance with the West Douglas Concept Plan, Chapter 6.

## Attachment A - Application Packet

North Douglas Highway is accessed solely by the Juneau-Douglas Bridge. Vehicle traffic at the intersection of the bridge landing at Tenth Street and Egan Drive exceeds its design capacity in the morning commute peak period of from around 7:30 AM to 8:30 AM (snow conditions extend this peak period to from around 7:00 AM to 8:30 AM). A new roundabout/traffic circle was installed at the Island terminus of the Juneau-Douglas Bridge that has increased the traffic flow of that intersection to a level of service (LOS) C or better; however the mainline terminus of the bridge at Tenth Street and Egan Drive is at a LOS E or F in the morning peak period during the 7 to 9 AM commute. In 2006, about half the motorists traveled straight across Egan Drive or turned right, indicating that they work in downtown Juneau. It is likely that residents of new housing on Douglas Island will have the same employment and commute patterns. Even if all the new residents commute by public transit, the current capacity of the Juneau-Douglas Bridge terminus at Tenth Street and Egan Drive cannot accommodate these additional vehicle trips and the traffic volume capacity must be expanded and/or staggered work hours for downtown Juneau government workers must be mandated and enforced.

A December 2002 ADOT&PF report recommended several options for expanding capacity and improving the LOS on the Juneau-Douglas Bridge. The existing roundabout at the Douglas Island terminus was recommended and implemented. The CBJ-accepted improvements to the mainland terminus at Tenth Street and Egan Drive have not been funded by ADOT&PF. Further analysis of potential improvements to the mainland terminus of the bridge may be needed, along with community understanding of the need for the improvements, and community cooperation to fund and build them.

Along with the Juneau-Douglas Bridge improvements, a North Douglas crossing of Gastineau Channel is needed to accommodate new development in the West Douglas New Growth Area. Douglas Island has the most buildable land in the CBJ (more flat and dry than is available on the mainland) and it is essential to provide a North Douglas crossing to Douglas Island in order to ease the CBJ's critical housing crisis. Careful analysis of the location and configuration of the North Douglas terminus, or "landing," of this new bridge is needed, along with a careful analysis of the ways in which traffic to and from West Douglas is conveyed. The conveyance of traffic to new development in North Douglas or West Douglas may be accomplished in the long-term by road and light rail or heavy rail facilities and, therefore, the right-of-way for transport should be wide enough to accommodate fixed-guideway, motorized and non-motorized transport. The analysis of transport systems to North and West Douglas from a new bridge landing should be conducted in conjunction with a neighborhood planning effort for North Douglas. See also the transportation discussion for Douglas Island in Chapter 8 of this Plan, and the Community-Preferred Alternative location for the North Douglas Crossing identified in the 2007 North Douglas Crossing Public Involvement Project and Resolution 2415(am), Vanderbilt Hill.

### **Guidelines and Considerations for Subarea 8:**

1. In the near term, conduct a neighborhood plan for North Douglas to address current and anticipated neighborhood issues such as traffic, transit, pedestrian and bicycle safety, residential uses, densities and utilities, parks, open space, access to water bodies, community gardens, neighborhood-serving commercial uses, and recreational uses for local and CBJ residents as well as regional and international visitors. This plan should incorporate engineering, costs and environmental assessments and findings of a North Douglas bridge landing. This transportation analysis of the bridge and West Douglas traffic conveyance should be combined with the comprehensive North Douglas subarea planning effort that should address transportation, utilities, in-fill housing, recreation and open space/natural areas, and public safety issues in a community-wide, holistic approach. The North Douglas Crossing was not received favorably by the public in the 2010 voting on a ballot proposition to fund construction of the crossing; however, the language on the ballot specified one location in particular, and did not explain the long history of this project or its importance to Juneau's future. A new bridge landing in North Douglas should be carefully designed to avoid a physical separation of the North Douglas community, while preserving its rural character.
2. In its current condition, the northwest, west and southern areas of Douglas Island are in a natural, undeveloped state. Portions of the northwest island provide a recreational resource for the whole community. In addition to Eaglecrest, there are miles of shoreline and many acres of unimproved park area. A unique feature is a mile-long stretch of waterfront roadway from the North Douglas boat launch facility to False Outer Point. This corridor offers a world class vista of the Mendenhall Glacier, Mendenhall Peninsula and small islands. This area should be designated a scenic corridor both locally and with the state ADOT&PF. No obtrusive structures should be built on the water-side of the road and any development within this view corridor should assure the preservation of these views

## Attachment A - Application Packet

and should enhance the open space/natural areas, public access and non-motorized pathways along the corridor. With the exception of boat launch facilities at the boat harbor, no permanent structures associated with commercial activities should be permitted along the shore side of the road from Cove Creek to False Outer Point.

3. The un-roaded shoreline on the west side of Douglas Island has development potential, both for urban residential use and for port development. The westerly shoreline is owned almost entirely by the Goldbelt Corporation and the land immediately upland is owned by the CBJ. Goldbelt has considered any number of development scenarios. A West Douglas Conceptual Plan was published in May 1997 and Chapter 6 of that Plan was adopted as an element of the CBJ Comprehensive Plan in 2007. This Plan encourages and facilitates the development of a New Growth Area in West Douglas when water, sewer and road infrastructure are available and adequate to serve the new development. New development should preserve shoreline and streamside areas in public ownership as open space/natural areas with public access points.
4. Unless and until municipal water and sewer services are provided to the North Douglas area, continue to allow for rural residential densities along the North Douglas Highway corridor and maintain the Resource Development land use designation for upland areas. Where municipal water and sewer service are provided, more efficient use of this land should be encouraged. Residential densities should be increased when, and where, roads, terrain, transit and other public services would provide the carrying-capacity for the additional residential population. However, the areas designated MDR but not currently provided municipal sewer service should remain in zoning designations that limit development to very low densities until municipal water and sewer service are provided and driveway access, roadway capacity, and intersection capacities and facilities serving that property meet the livability standard of a Level of Service D or better.
5. The Parks and Recreation Comprehensive Plan, Chapter 8, recommends a number of parks, trail, community garden and stream corridor improvements. Those recommendations include: (a) implement the 2002 Fish Creek Park Master Plan; (b) develop a master plan for recreation lands from Fish Creek to Point Hilda in North and West Douglas; (c) support construction of separated bicycle and pedestrian pathways along North Douglas Highway; (d) work with the North Douglas golf course developer to allow for cross country ski and walking use of the course with lighted trails for winter use; (e) develop a community park on West Douglas; (f) develop a neighborhood park in North Douglas that includes both passive and active recreation areas; (g) develop a community garden in the North Douglas area; (h) retain a trail corridor on CBJ lands beyond North Douglas; (i) consider acquisition of private land at Outer Point for public recreation use; and (j) coordinate recreational and maintenance activities at Eaglecrest.
6. Protect access to the Treadwell Ditch Trail and beach trails and support improvements to trails as recommended by Trail Mix.
7. Retain an easement for a bench road and trail corridor on CBJ lands around the perimeter of the Island (a trans-island road and trail system). As development proceeds near Peterson Creek, the CBJ should actively pursue development of a trail corridor that begins at the current end of the North Douglas Highway to the new development.
8. Prevent development within the Fish Creek Road scenic corridor, which is represented by a one-quarter mile distance from the Fish Creek Road right-of-way on each side of the road. No structures, other than utilities, shall be permitted therein. Minimize to the greatest extent practicable, intersecting driveways and other vehicular access points on Fish Creek Road from North Douglas Highway to Eaglecrest Lodge.
9. Retain Fish Creek Park as designated recreational open space/natural areas and restrict any development adjacent to the park, other than non-motorized access trails or bridges, which would adversely impact the valuable estuarine habitat and recreational use of the area.
10. On CBJ-owned lands, maintain a 200 foot stream buffer on each side of Fish Creek. On CBJ-owned lands that are not designated for disposal in the 1999 CBJ Land Management Plan, maintain 200 foot stream buffers on each side of the following waterbodies: Peterson Creek, Eleven Mile Creek, Middle Creek, and Hilda Creek. This buffer zone or setback may be adjusted or altered,

## Attachment A - Application Packet

on a case-by-case basis, when a scientific analysis of the specific function(s) of the particular creek's value(s) finds that the setback should be more, based on its functional value(s). The setback from Peterson Creek as it passes through the land included within the CBJ Totem Creek Golf Course Lease Agreement, as outlined in existing (expired) permits, may be less than suggested here if that project is proposed again, provided that the water quality of the creek is not impaired by non-native pesticides or fertilizers, sediments or other materials, and the riparian habitat of the creek is not impaired by invasive species.

11. As much as is practical and efficient, coordinate recreational and maintenance activities and shared use of facilities and equipment and coordinate management activities with the Eaglecrest Facility and programs. Many of the facilities at Eaglecrest can serve both skiers and non-skiers and both winter and off-season recreational activities and events. Shared use and year-round use of the Eaglecrest facilities and lands should be encouraged and facilitated.
12. Identify historic and cultural resources within the subarea. Projects that may impact historic resources identified within this subarea are to be reviewed by the Historic Resources Advisory Committee (HRAC) prior to issuance of a permit. Where new historic or cultural resources are discovered or identified, the Juneau-Douglas City Museum should be contacted immediately for documentation and technical assistance toward preservation and/or curating of the resource. The demolition or removal of historic resources should be avoided and should only occur when no other option for its preservation or relocation to a suitable site exists.
13. When reviewing development proposals for Douglas Island, ensure that the site layout and circulation system configuration proposed minimizes direct vehicular access onto North Douglas Highway and does not obstruct or harm potential roadway access to an upland bench road to West Douglas or non-motorized access to a trans-island trail system, including the Treadwell Ditch Trail.
14. The West Douglas Concept Plan, Chapter 6, Land Use section has been adopted as an element of the CBJ Comprehensive Plan. Development within these New Growth Areas is subject to a master development plan to be adopted by the Assembly. Each subarea in these New Growth Areas may be planned in phases, consistent with the general guidelines in Chapter 6 of the West Douglas Concept Plan.

### **Subarea 9: Douglas & West Juneau (Maps M, O, & P)**

Community Form: Urban in downtown Douglas and West Juneau

Rural south of downtown Douglas

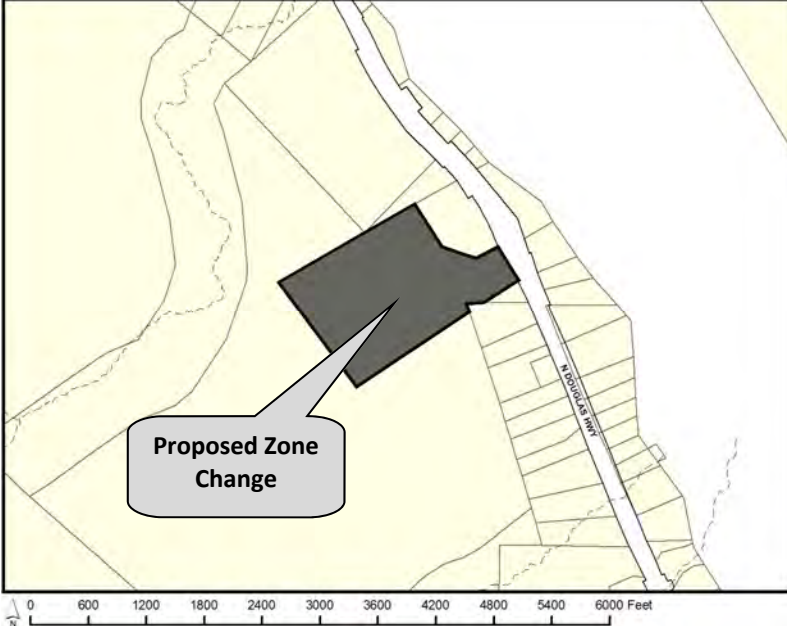
### **NATURAL RESOURCES AND HAZARDS:**

| <i>Type</i>                     | <i>General Location</i>  |
|---------------------------------|--|
| Wildlife (Eagle nests)          | 8 eagle nests in Douglas and South Douglas (2006 data)   |
| Stream and Lakeshore Corridors  | Kowee, Bear, Lawson, Bullion, Ready Bullion, and Nevada Creeks   |
| Wetlands/Tidelands              | Mouth of Kowee and Lawson creeks, along the shoreline south of downtown Douglas, and on the bench above Douglas Highway. |
| Cultural and Historic Resources | Downtown Douglas, Treadwell mine complex, Douglas cemeteries   |

Table 11.9

# 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 a **proposed change of zoning from D15 to General Commercial, General Commercial/Light Commercial, or Light Commercial** on North Douglas Highway.

## TIMELINE

Staff Report expected to be posted **Monday, April 5, 2021** at <https://juneau.org/community-development/planning-commission>. Find hearing results, meeting minutes and more here as well.

**Now through March 22**

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

**March 23 — noon, April 12**

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

**HEARING DATE & TIME: 7:00 pm, April 13, 2021**

This virtual meeting will be by video and telephonic participation only. To join the Webinar, visit: <https://juneau.zoom.us/j/95201900876>. The Webinar ID is: 952 0190 0876. To join by telephone, call: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866 and enter the Webinar ID.

**April 14**

The results of the hearing will be posted online.

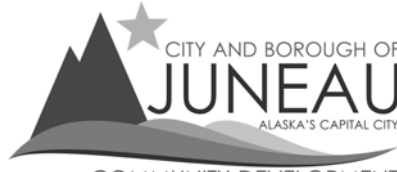
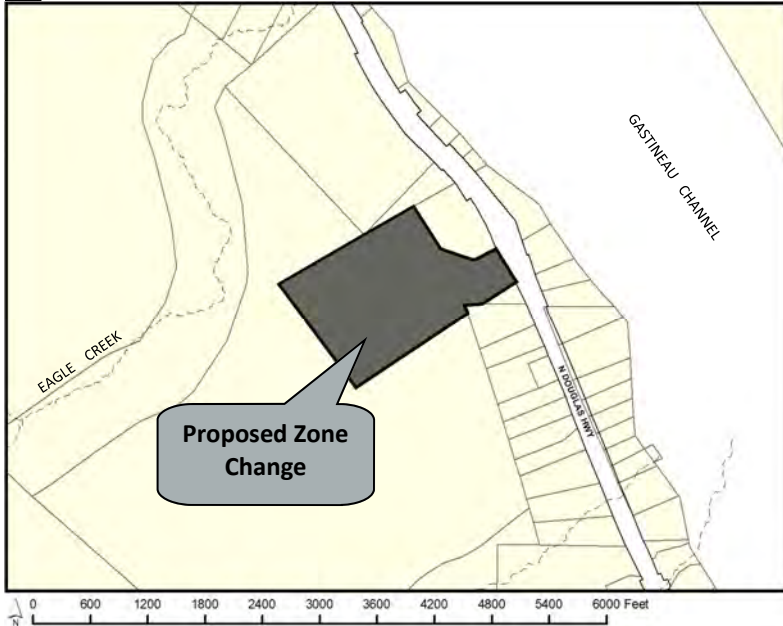
Phone: **(907)586-0715** ♦ Email: [pc\\_comments@juneau.org](mailto:pc_comments@juneau.org)  
 Mail: **Community Development, 155 S. Seward St, Juneau AK 99801**

**Case No.:** AME2021 0001  
**Parcel No.:** 6D0601150011  
**CBJ Parcel Viewer:** <http://epv.juneau.org>

# Please Come to a Meeting

About a Zone Change in Your Neighborhood

*Your Community, Your Voice*



COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:

The Community Development Department is hosting an opportunity for the community to discuss an application for a **proposed change of zoning from D15 to General Commercial, General Commercial/Light Commercial, or Light Commercial** on North Douglas Highway. Your questions, comments, and concerns are welcome.



## NEIGHBORHOOD MEETING

### Thursday, March 11, 6:00 pm

**This meeting will be held via Zoom Webinar**

This virtual meeting will be by video and telephonic participation only. To join the Webinar, visit <https://juneau.zoom.us/j/92883954457>. The Webinar ID is: 928 8395 4457. To join by telephone, call +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866 and enter the Webinar ID. If you are not able to attend this meeting but have questions or comments, please contact Joseph Meyers, CDD Planner, at (907) 586-0466 or [joseph.meyers@juneau.org](mailto:joseph.meyers@juneau.org).

*This project is scheduled for review by the Planning Commission on April 13, 2021. All property owners within 500 feet of the proposed rezone will receive a separate notice with details on how and where to submit comments or testify before the Commission.*

**Case No.:** AME2021 0001  
**Parcel No.:** 6D0601150011  
**CBJ Parcel Viewer:** <http://epv.juneau.org>





**NOTICE** 586-0715  
AMENDATORY

**PROPOSED ZONE  
CHANGE FROM  
D15 to GC/LC, or LC**

AMENDATORY  
Applicant proposes change of zoning from  
D15 (residential) to GC (general commercial)  
and LC (light commercial) or just LC (light commercial)

**HEARING DATE:  
4/13/21**

Attachment B - Abutters Notice and Public Notice Sign Photo



Attachment B - Abutters Notice and Public Notice Sign Photo





**RESCHEDULE OF  
REZONE HEARING**

AMENDED 2021  
Meeting of Council June  
1st 2021 (Rescheduled)  
By GC (General Commission)

**HEARING DATE:  
5/11/21**

Attachment C - Permissible Use Comparison Table

|       | Use description   | D15 | LC  | GC  |  |
|-------|---|-----|-----|-----|--|
| 1.110 | Single-family detached; one dwelling per lot  | 1   | 1   | 1   | No change from current to proposed zoning                              |
| 1.120 | Single-family detached; two dwellings per lot   |     |     |     | Not allowed in this zoning district                                    |
| 1.130 | Single-family detached; accessory apartment   | 1,3 | 1,3 | 1,3 | 1 = Department approval<br>3 = Planning commission approval            |
| 1.140 | Single-family detached, two dwellings per lot, accessory apartments   |     |     |     |  |
| 1.200 | Duplex  | 1   | 1   | 1   | 1,3 = Dept approval if minor;<br>planning commission approval if major |
| 1.300 | Multifamily dwellings   | 1,3 | 1,3 | 1,3 |  |
| 1.510 | Child and day care homes; child; 12 or fewer children under the age of 12   | 1   | 1   | 1   |  |
| 1.530 | Adult; 12 or fewer people, 12 years or older  | 1   | 1   | 1   |  |
| 1.550 | Child care residence, 6 to 9 children under 18 years of age   | 3   | 3   | 3   |  |
| 1.610 | Rooming, boarding houses, bed and breakfasts, single room occupancies with shared facilities, transitional housing, and temporary residences. Owner or manager must live on site      | 1,3 | 1,3 | 1,3 |  |
| 1.620 | Hotels & Motels   |     | 1,3 | 1,3 |  |
| 1.630 | Single room occupancies with private facilities   | 1,3 | 1,3 | 1,3 |  |
| 1.700 | Home occupations  | 1   | 1   | 1   |  |
| 1.810 | Residential mobile homes on individual lots   |     |     |     |  |
| 1.815 | Caretaker mobile homes on individual lots   | 3   | 3   | 3   |  |
| 1.820 | Mobile home parks   | 3   | 3   | 3   |  |
| 1.830 | Mobile home subdivision   | 3   | 3   | 3   |  |
| 1.840 | Recreational vehicle parks  |     |     |     |  |
| 1.910 | Commonwall developments; two dwelling units   | 1   |     |     |  |
| 1.911 | Accessory apartments  | 1,3 | 1,3 | 1,3 |  |
| 1.920 | Three or more dwelling units  | 1,3 | 1,3 | 1,3 |  |
| 1.930 | Two dwelling unit structures allowed under special density considerations, subsections 49.25.510(h)   | 3   | 3   |     |  |
| 2.120 | Sales and rental goods, merchandise, or equipment; with less than 5,000 square feet and less than 20 percent of the gross floor area of outside merchandising of goods; miscellaneous |     | 1   | 1   |  |
| 2.130 | Marine merchandise and equipment  |     | 1,3 | 1,3 |  |
| 2.200 | Storage and display of goods with greater or equal to 5,000 square feet and/or 20 percent of the gross floor area of outside merchandising of goods.                                  |     | 1,3 | 1,3 |  |
| 2.300 | Marijuana retail store  |     | 3   | 3   |  |
| 3.050 | Offices of not more than 1,000 square feet  | 3   | 1   | 1   |  |
| 3.100 | Offices greater than 1,000 but not more than 2,500 square feet  | 3   | 1   | 1   |  |
| 3.300 | Research, laboratory uses   |     | 1,3 | 1,3 |  |
| 3.400 | Offices greater than 2,500 square feet  |     | 1,3 | 1,3 |  |
| 3.500 | Marijuana testing facility  |     | 3   | 3   |  |
| 4.050 | Light manufacturing   | 3   | 1,3 | 1,3 |  |
| 4.070 | Medium manufacturing  |     |     | 3   |  |
| 4.100 | Heavy manufacturing   |     |     |     |  |
| 4.150 | Rock crusher  |     |     |     |  |
| 4.200 | Storage of explosives and ammunition  |     |     |     |  |
| 4.210 | Seafood processing  |     |     |     |  |
| 4.220 | Marijuana product manufacturing facility  |     |     | 3   |  |
| 5.110 | Elementary and secondary schools including associated grounds and other facilities  | 3   | 3   | 3   |  |
| 5.120 | Trade, vocational schools, commercial schools   |     | 3   | 3   |  |
| 5.130 | Colleges, universities  | 3   | 3   | 3   |  |
| 5.200 | Churches, synagogues, temples   | 3   | 1,3 | 1,3 |  |
| 5.300 | Libraries, museums, art galleries   | 3   | 1,3 | 1,3 |  |
| 5.400 | Social, fraternal clubs, lodges, union halls, yacht clubs   |     | 1,3 | 1,3 |  |
| 6.110 | Bowling alleys, billiard, pool halls  |     | 1,3 | 1,3 |  |
| 6.120 | Tennis, racquetball, squash courts, skating rinks, exercise facilities, swimming pools, archery ranges  | 3   | 1,3 | 1,3 |  |
| 6.130 | Theaters seating for 200 or fewer   | 3   | 1   | 1   |  |
| 6.135 | Theaters seating from 201 to 1,000  |     | 3   | 1   |  |
| 6.140 | Coliseums, stadiums, and other facilities in the 6.100 classification seating for than 1,000 people   |     |     | 3   |  |
| 6.150 | Indoor shooting range   |     |     | 3   |  |
| 6.210 | Recreational facilities such as golf, country clubs, swimming tennis courts not constructed pursuant to a permit authorizing the construction of a school                             | 3   | 3   | 1,3 |  |
| 6.220 | Miniature golf courses, skateboard parks, water slides, batting cages   | 3   | 3   | 1,3 |  |

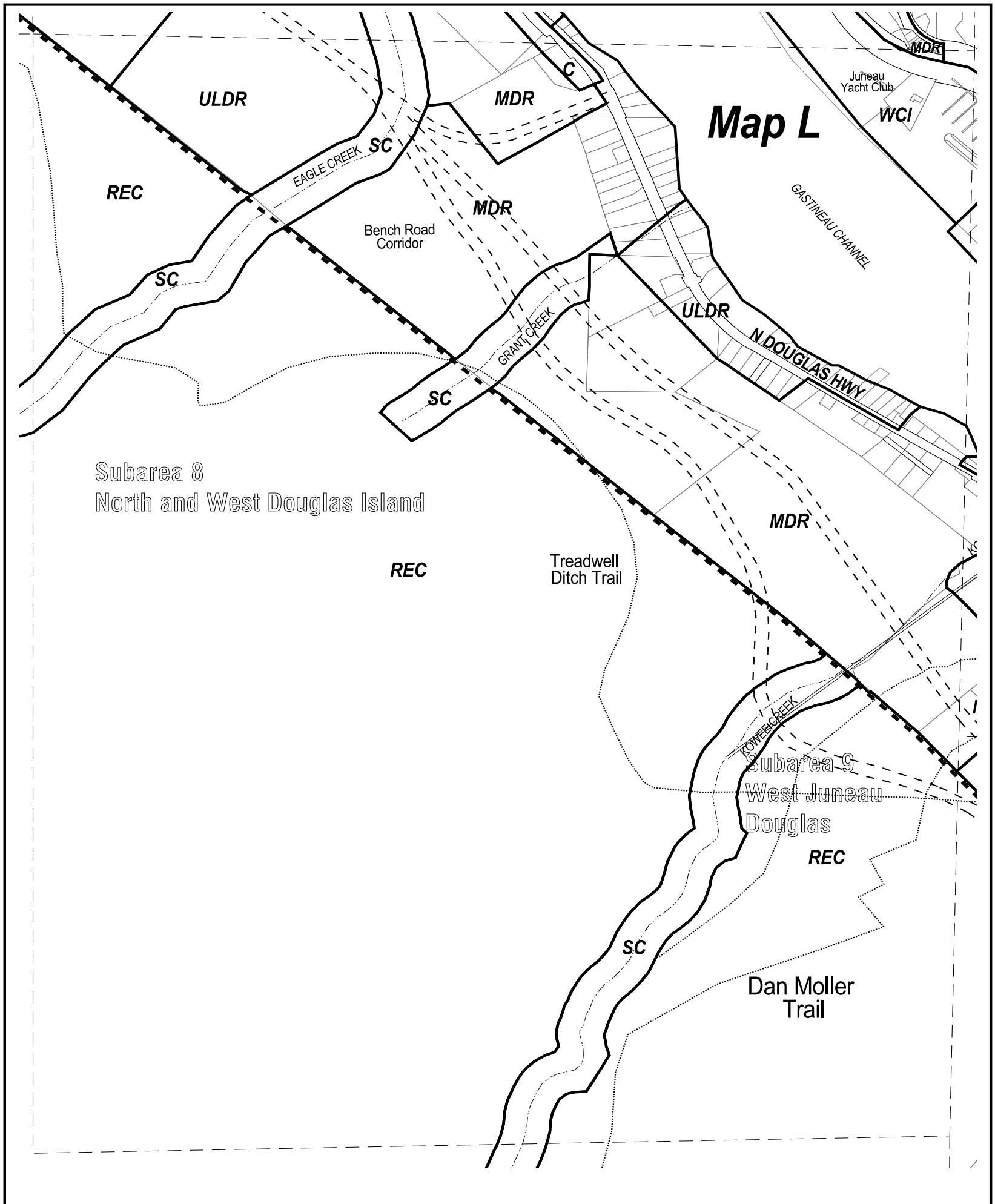
Attachment C - Permissible Use Comparison Table

|        |  |     |     |     |
|--------|--|-----|-----|-----|
| 6.240  | Automobile, motorcycle racing tracks; off-highway vehicle parks  |     |     | 3   |
| 6.260  | Open space   | 1   | 1   | 1   |
| 6.264  | Parks with improved facilities, not approved in conjunction with a major subdivision; Capacity for up to 20 people   | 1   | 1   | 1   |
| 6.266  | Parks with improved facilities, not approved in conjunction with a major subdivision; Capacity for more than 20 people   | 3   | 3   | 3   |
| 6.270  | Aerial conveyances and appurtenant facilities  | 3   | 3   | 3   |
| 6.280  | Shooting ranges  |     |     |     |
| 7.100  | Hospital   |     | 3   | 3   |
| 7.150  | Health care clinics, other medical treatment facilities providing outpatient care  | 3   | 1,3 | 1,3 |
| 7.200  | Assisted living  | 3   | 3   | 1,3 |
| 7.300  | Day care centers   | 3   | 1,3 | 1,3 |
| 7.310  | Child care centers   | 3   | 1,3 | 1,3 |
| 7.500  | Correctional facilities  | 3   | 3   | 3   |
| 7.600  | Sobering Centers   |     | 3   | 3   |
| 8.050  | Small restaurants, less than 1,000 sq. ft. without drive-through service   | 3   | 1   | 1   |
| 8.100  | Restaurants, bars without drive-through service  |     | 1,3 | 1   |
| 8.200  | Restaurants, coffee stands with drive through service  |     | 1,3 | 1   |
| 8.300  | Seasonal open air food service without drive through   |     | 1,3 | 1   |
| 9.050  | Motor vehicle, mobile home sale or rental  |     | 1,3 | 1,3 |
| 9.100  | Motor vehicle repair and maintenance, including body work  |     |     | 3   |
| 9.200  | Automotive fuel station  |     | 3   | 1   |
| 9.300  | Car wash   |     | 3   | 1   |
| 9.400  | Boat sales or rental   |     | 3   | 1   |
| 9.450  | Boat repairs and maintenance   |     |     | 3   |
| 10.100 | Automobile parking garages or parking lots not related to a principal use on the lot   |     | 3   | 1   |
| 10.200 | Storage and handling of goods not related to sale or use of those goods on the same lot on which they are stored   |     |     |     |
| 10.210 | All storage within completely enclosed structures  |     | 3   | 1   |
| 10.220 | General storage inside or outside enclosed structures  |     |     | 1,3 |
| 10.232 | Snow storage basin; neighborhood, less than 1/2 acre   | 3   | 3   | 1   |
| 10.235 | Snow storage basin; regional, 1/2 to 1 acre  |     | 3   | 3   |
| 10.237 | Area wide, over 1 acre   |     |     | 3   |
| 10.300 | parking of vehicles or storage equipment outside enclosed structures where they are owned and used by the user of the lot and parking and storage is more than a minor and incidental use of the lot |     |     | 1,3 |
| 10.400 | Temporary contractor's storage connected with construction project off-site for a specified period of time   | 3   | 3   | 1,3 |
| 10.510 | Public, commercial moorage   |     | 3   | 3   |
| 10.520 | Private moorage  | 1,3 | 1,3 | 1,3 |
| 11.110 | Recycling operations; Enclosed collection structures of less than 80 square feet total and less than six feet in height  | 1   | 1   | 1   |
| 11.120 | Recycling operations; Enclosed structures for recyclable materials collection  | 1,3 | 1,3 | 1,3 |
| 11.130 | Recycling operations; Sorting, storage, preparation for shipment occurring outside an enclosed structure   |     |     |     |
| 11.200 | Reclamation landfill not associated with a specific use  | 1,3 | 1,3 | 1,3 |
| 11.300 | Sanitary landfill  |     |     |     |
| 12.100 | Veterinary clinic  |     | 3   | 1,3 |
| 12.200 | Kennel   |     | 3   | 3   |
| 12.250 | Day animal services, grooming, walking, day care   |     | 3   | 3   |
| 12.300 | Zoos, aquaria, or wild animal rehabilitation facilities with a visitor component   |     | 3   | 3   |
| 12.310 | Wild animal rehabilitation facilities without a visitor component  |     | 3   | 3   |
| 12.400 | Horseback riding stables, dog team yards   |     | 3   | 3   |
| 14.100 | Aquaculture  |     | 3   | 3   |
| 14.150 | Weirs, channels, and other fisheries enhancement   | 1,3 | 1,3 | 1,3 |
| 14.210 | Commercial agriculture operations; excluding farm animals  | 3   | 3   | 3   |
| 14.220 | Commercial agriculture operations; including farm animals  |     |     |     |
| 14.230 | Commercial agriculture operations; stabling of farm animals  |     | 3   | 3   |

Attachment C - Permissible Use Comparison Table

|        |  |     |     |     |
|--------|--|-----|-----|-----|
| 14.240 | Marijuana cultivation (500 square feet or more under cultivation)                            |     | 3   | 3   |
| 14.245 | Marijuana cultivation (fewer than 500 square feet under cultivation)                         |     | 3   | 3   |
| 14.253 | Personal use agriculture (Hens, 6 maximum)   | 3   | 1   | 1   |
| 14.300 | Silviculture and timber harvesting   |     |     |     |
| 14.400 | Mining operations  |     |     |     |
| 14.500 | Sand and gravel operations   |     | 3   | 3   |
| 14.800 | Spring water bottling  | 3   | 3   | 3   |
| 15.100 | Post office  | 3   | 1,3 | 1,3 |
| 15.200 | Airport  |     |     |     |
| 15.400 | Military reserve, national guard centers   |     | 3   | 3   |
| 15.500 | Heliports, helipads  |     |     | 3   |
| 15.610 | Transit Centers  | 3   | 1,3 | 1,3 |
| 15.620 | Transit Station  | 1   | 1   | 1   |
| 15.630 | Park and ride not associated with a transit station  | 3   | 1   | 1   |
| 15.700 | Public works facility  |     | 3   | 3   |
| 16.100 | Dry cleaner, laundromat; drop-off and pickup only, no onsite laundry or dry cleaning process |     | 1,3 | 1,3 |
| 16.200 | Full service onsite laundry and/or dry cleaning  |     | 3   | 1,3 |
| 17.100 | Utility facilities; minor  | 1   | 1   | 1   |
| 17.150 | Utility facilities; intermediate   | 3   | 3   | 1,3 |
| 17.200 | Utility facilities; major  | 3   | 3   | 3   |
| 17.300 | Driveways and private roads  |     |     |     |
| 18.100 | Towers and antennas 35 feet or less  | 1   | 1   | 1   |
| 18.200 | Towers and antennas 35 to 50 feet  | 3   | 1   | 1   |
| 18.300 | Towers and antennas more than 50 feet in height  | 3   | 3   | 3   |
| 18.400 | Amateur (ham) radio towers and antennas more than 35 feet in height                          | 1   | 1   | 1   |
| 19.100 | Open air markets (farm, craft, flea, and produce)  |     | 1,3 | 1   |
| 19.210 | Nurseries, commercial greenhouses; retail sales  | 3   | 1,3 | 1   |
| 19.220 | Nurseries, commercial greenhouses; nonretail sales   | 1,3 | 1,3 | 1   |
| 19.230 | Marijuana cultivation (5000 sq. ft. or more under cultivation)                               |     | 3   | 3   |
| 19.240 | Marijuana cultivation (fewer than 500 square feet under cultivation)                         |     | 3   | 3   |
| 20.100 | Cemetery   | 3   | 3   | 3   |
| 20.200 | Crematorium  |     |     |     |
| 20.300 | Funeral home   |     | 1,3 | 1   |
| 21.100 | Resort, lodge  |     |     |     |
| 21.200 | Campground   |     |     |     |
| 21.300 | Visitor, cultural facilities related to features of the site                                 |     | 3   | 3   |
| 22.100 | Temporary structures used in connection with construction                                    | 1   | 1   | 1   |

Attachment D - Comp Plan Map



|                       |                  |                                  |             |               |   |       |                                  |   |   |
|-----------------------|------------------|----------------------------------|-------------|---------------|---|-------|----------------------------------|---|---|
| NATURAL RESOURCE      | <b>REC</b>       | Recreational Resource            | RESIDENTIAL | <b>RDR</b>    | Rural Dispersed Residential               | OTHER |                                  | New Growth Areas                            | Urban Service Area<br>Beach Access<br>Streams |
|                       | <b>RD</b>        | Resource Development             |             | <b>RLDR</b>   | Rural Low Density Residential             |       |                                  | Mendenhall Wetlands                         |   |
|                       | <b>SP</b>        | State Park                       |             | <b>ULDR</b>   | Urban Low Density Residential             |       |                                  | State Game Refuge                           |   |
|                       | <b>NP</b>        | CBJ Natural Area Park            |             | <b>MDR/SF</b> | Medium Density Residential- Single Family |       |                                  | Subarea Boundary                            |   |
|                       | <b>RS</b>        | CBJ Recreational Service Park    |             | <b>MDR</b>    | Medium Density Residential                |       |                                  | Potential Arterial (alignment not specific) |   |
|                       | <b>CA</b>        | CBJ Conservation Area            |             | <b>HDR</b>    | High Density Residential                  |       |                                  | Potential Road (alignment not specific)     |   |
|                       | <b>SC</b>        | Stream Protection Corridor       |             | <b>TTC</b>    | Traditional Town Center                   |       |                                  | Trails                                      |   |
| COMMERCIAL INDUSTRIAL | <b>C</b>         | Commercial                       | PUBLIC      | <b>M/MU</b>   | Marine Mixed Use                          |       | <b>IPU</b>                       | Institutional and Public Use                |   |
|                       | <b>MC</b>        | Marine Commercial                |             |               | Existing School                           |       | <b>Potential School Location</b> |   |   |
|                       | <b>WCI</b>       | Waterfront Commercial Industrial |             |               | Potential School Location                 |       |                                  |   |   |
|                       | <b>LI</b>        | Light Industrial                 |             |               |   |       |                                  |   |   |
| <b>HI</b>             | Heavy Industrial |                                  |             |               |   |       |                                  |   |   |

**City & Borough of Juneau**  
**COMPREHENSIVE PLAN**

City & Borough of Juneau  
Alaska's Capital City  
Adopted October 20th, 2008  
Ordinance No. 2008-30

NOTE: Potential geophysical hazards, wetlands, flood zones, natural resource setbacks or other features which can affect properties may be present. CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT FOR DETAILED INFORMATION.

Map 11.13

Prepared by: Community Development Department



### 3.3 Traffic Operations

Traffic conditions were evaluated for this study using the Level of Service (LOS) methodologies of the *Highway Capacity Manual* (Transportation Research Board, 2000). The *Highway Capacity Manual* (HCM) is a nationally recognized and locally accepted method of measuring traffic flow and congestion for intersections. Criteria range from LOS A, indicating free-flow conditions with minimal vehicle delays, to LOS F, indicating congestion with significant vehicle delays.

LOS for a signalized intersection is defined in terms of the average delay experienced by all vehicles at the intersection, typically over a specified time period such as a peak hour. Threshold values are listed in Table 15. LOS for roundabout intersections has not been defined by the HCM due to the variety of analysis methods available. However, the National Cooperative Highway Research Program (NCHRP) Report 572 recommends using stop controlled intersection criteria for roundabout LOS. These criteria are shown in Table 15 and are reported by approach. The differing LOS criteria reflect drivers' increased tolerance for delay at signalized intersections.

| Table 15- Intersection Level of Service Criteria |                                    |                                    |   |
|--|------------------------------------|------------------------------------|---|
| Level of Service                                 | Signalized Control Delay (sec/veh) | Roundabout Control Delay (sec/veh) | General Description   |
| A  | ≤10                                | ≤10                                | Free flow   |
| B  | >10 – 20                           | >10-15                             | Stable flow (slight delays)   |
| C  | >20 – 35                           | >15-25                             | Stable flow (acceptable delays)   |
| D  | >35 – 55                           | >25-35                             | Approaching unstable flow (tolerable delay, occasionally wait through more than one signal cycle before proceeding) |
| E  | >55 – 80                           | >35-50                             | Unstable flow (intolerable delay)   |
| F  | > 80                               | >50                                | Forced flow (jammed)  |
| Source: Highway Capacity Manual (TRB, 2000)      |                                    |                                    |   |

The Egan Drive and 10<sup>th</sup> Street intersection is a signalized intersection. The LOS was calculated using Synchro Version 7, Build 793 (Trafficware, 2007). This intersection analysis software tool is based on the methodologies of HCM 2000 and is accepted by DOT&PF. The Douglas roundabout intersection was analyzed using the methodologies presented in NCHRP 572, which is the DOT&PF preferred method. Roundabout delay and LOS are reported as a weighted average for the entire intersection, while the volume to capacity (v/c) ratio is reported for the approach with the highest v/c ratio. Signal statistics are reported as an average for the entire intersection.

**CITY AND BOROUGH OF JUNEAU**  
**TRAFFIC IMPACT ANALYSIS**  
**NORTH DOUGLAS HIGHWAY REZONE**  
**Juneau, Alaska**

August 2009

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## SUMMARY

The City and Borough of Juneau is anticipating the re-zoning of land along North Douglas Highway. The re-zoning is allowed under the 2008 update of the City and Borough of Juneau Comprehensive Plan. The City and Borough of Juneau is extending the sanitary sewer system along North Douglas Highway, which removes a significant impediment to development. Housing growth is expected to include both the development of vacant land and subdivision of existing, developed parcels.

This Traffic Impact Analysis includes estimates of projected growth along this corridor and the analysis of impacts to traffic conditions at the Douglas roundabout and at the Egan Drive and 10<sup>th</sup> Street intersection. Level of service and capacity at these intersections will be negatively impacted by development along North Douglas Highway. The rezoning action will not generate traffic, but as development occurs over time, capacity improvements will eventually be required to meet minimum traffic standards.

# Attachment E - 2009 Traffic Impact Analysis, North Douglas Highway and roundabout

## TABLE OF CONTENTS

|  |      |
|--|------|
| SUMMARY .....  | i    |
| ACRONYMS .....   | iv   |
| 1 INTRODUCTION .....   | 1-1  |
| 2 DEVELOPMENT PROJECTION .....   | 2-2  |
| 2.1 CBJ Development Trends .....   | 2-2  |
| 2.2 Future CBJ Trends .....  | 2-5  |
| 2.3 North Douglas Projections .....  | 2-10 |
| 2.4 Section One: Kowee Creek to End of 2009 Sewer Extension .....                          | 2-10 |
| 2.5 Section Two: End of 2009 Sewer Extension to Bonnie Brae .....                          | 2-15 |
| 2.6 Section Three: Bonnie Brae-Subdivision and the Commercial Area on the Water Side ..... | 2-16 |
| 2.7 Summary .....  | 2-16 |
| 3 TRAFFIC ANALYSIS .....   | 3-18 |
| 3.1 Trip Generation and Distribution .....   | 3-18 |
| 3.2 Trip Distribution and Forecast Traffic Volumes .....                                   | 3-19 |
| 3.3 Traffic Operations .....   | 3-20 |
| 3.3.1 Existing Conditions .....  | 3-21 |
| 3.3.2 Future Conditions .....  | 3-21 |
| 3.4 Access Road Intersections .....  | 3-27 |
| 3.5 Pedestrian and Bicycle Facilities .....  | 3-28 |
| 3.6 Accident Analysis .....  | 3-28 |
| 3.7 Traffic Impact Mitigation .....  | 3-29 |
| 4 CONCLUSIONS .....  | 4-1  |

# Attachment E - 2009 Traffic Impact Analysis, North Douglas Highway and roundabout

## TABLES

|  |      |
|--|------|
| Table 1 - CBJ Housing and Population History.....                        | 2-3  |
| Table 2 - Building Permit Records .....                                  | 2-4  |
| Table 3 - Occupancy and Vacancy Data.....                                | 2-5  |
| Table 4 - Population and Housing Growth Projection.....                  | 2-7  |
| Table 5 - Housing Mix in 2008.....                                       | 2-8  |
| Table 6 - Housing Mix Comparison: 2001-2008.....                         | 2-9  |
| Table 7 - Housing Mix Comparison, New Units: 2020 to 2030.....           | 2-10 |
| Table 8 - Section One, Uphill Side, Development Potential Scenarios..... | 2-15 |
| Table 9 - Development Potential, Kowee Creek to Bonnie Brae .....        | 2-17 |
| Table 10 - North Douglas Sewer - Growth Projection Summary .....         | 2-17 |
| Table 11 - ITE Land Uses and Descriptions .....                          | 3-18 |
| Table 12 - Project Trip Generation, D-10 Zoning .....                    | 3-19 |
| Table 13 - Project Trip Generation, D-15 Zoning .....                    | 3-19 |
| Table 14 - Project Trip Generation, D-18 Zoning .....                    | 3-19 |
| Table 15 - Intersection Level of Service Criteria.....                   | 3-20 |
| Table 16 - Existing Level of Service Summary – AM Peak Hour .....        | 3-21 |
| Table 17 - Existing Level of Service Summary – PM Peak Hour .....        | 3-21 |
| Table 18 - Future Level of Service Summary – AM Peak Hour .....          | 3-21 |
| Table 19 - Future Level of Service Summary – PM Peak Hour .....          | 3-22 |
| Table 20 - Collisions by Year.....                                       | 3-29 |
| Table 21 - Collisions by Location.....                                   | 3-29 |
| Table 22 - Collisions by Type.....                                       | 3-29 |

## FIGURES

|          |  |      |
|----------|--|------|
| Figure 1 | Study Area Map .....                                   | 2-13 |
| Figure 2 | Section One Detail Map.....                            | 2-14 |
| Figure 3 | AM Traffic Volumes for 10 <sup>th</sup> and Egan.....  | 3-23 |
| Figure 4 | PM Traffic Volumes for 10 <sup>th</sup> and Egan ..... | 3-24 |
| Figure 5 | AM Traffic Volumes for Douglas Roundabout.....         | 3-25 |
| Figure 6 | PM Traffic Volumes for Douglas Roundabout.....         | 3-26 |
| Figure 7 | Left-Turn Lane Thresholds .....                        | 3-27 |
| Figure 8 | Right-Turn Lane Thresholds.....                        | 3-28 |

# Attachment E - 2009 Traffic Impact Analysis, North Douglas Highway and roundabout

City and Borough of Juneau  
North Douglas Highway Rezone

Traffic Impact Analysis  
August 2009

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## ACRONYMS

|             |   |
|-------------|---|
| CBJ.....    | City and Borough of Juneau                                |
| CDD.....    | Community Development Department                          |
| DOL.....    | Alaska Department of Labor and Workforce Development      |
| DOT&PF..... | Alaska Department of Transportation and Public Facilities |
| DU.....     | dwelling unit   |
| EIS.....    | Environmental Impact Statement                            |
| ITE.....    | Institute of Transportation Engineers                     |
| LOS.....    | level of service  |
| NCHRP.....  | National Cooperative Highway Research Program             |
| NDH.....    | North Douglas Highway                                     |
| PPH.....    | persons-per-household                                     |
| PUD.....    | Planned Unit Development                                  |
| ROW.....    | right-of-way  |
| TIA.....    | Traffic Impact Analysis                                   |
| v/c.....    | volume to capacity ratio                                  |

## 1 INTRODUCTION

The City and Borough of Juneau (CBJ) has requested a traffic impact analysis (TIA) for the re-zoning of land along North Douglas Highway (NDH), and specifically for the area bounded by Kowee Creek on the southeast and Bonnie Brae subdivision to the northwest. The re-zoning is anticipated and allowed under the 2008 update of the CBJ Comprehensive Plan

It is unlikely that proposed development over time due to the rezone will tax the capacity of NDH. The Alaska Department of Transportation and Public Facilities (DOT&PF) is most interested in the potential impacts to traffic conditions at the Douglas roundabout and at the intersection of Egan Drive and 10<sup>th</sup> Street. This TIA includes a development projection to support the traffic projections needed for the analysis of these intersections. The analysis includes capacity and safety studies.



## 2 DEVELOPMENT PROJECTION

The NDH corridor can be divided into three fairly specific sections (see Figure 1 – Study Area Map). Section One is the first mile or so of NDH that will be served by the upcoming sewer project. Section Two is the area between Section One and Bonnie Brae. Section Three is Bonnie Brae itself and the area across the highway on the channel side. The development potential for each section will be projected in this Development Projection Summary. First, however, some general information and analysis of Juneau’s population and housing history are needed to set the stage.

### 2.1 CBJ Development Trends

The development of a city can be somewhat characterized with statistics on population and housing. There are three sources of information on population in Alaska: 1) the U.S. Census Bureau; 2) the Alaska Department of Labor and Workforce Development (DOL); and 3) the CBJ’s Community Development Department (CDD) annual population estimate. Data on housing is taken from CDD’s building permit records and the Assessor’s records. Table 1 shows combined data from these sources.

There is quite a difference between CDD’s estimate for 1990 and the U.S. Census result for that year. More recently, the DOL and CDD estimates are much closer to each other and both agencies show that the population high point was in 2005. The difference between the estimates was only 11 people. More significantly, Juneau has lost population from 2005 to the present. This is due to several factors:

- Construction on the Kensington Mine was largely complete by May 2008, and construction workers that had moved to Juneau on a temporary basis had left town by the time the estimate was prepared<sup>1</sup>.
- Movement of several state department commissioner positions, and their support staff, to places outside Juneau.
- A generally flat economy locally.
- The 2008 nationwide general recession, first sensed in early 2008, but in full tilt by the end of the year.

Two sources of data on the housing stock are in play. Table 1 shows housing stock estimates drawn from the CBJ Assessor’s records. The other source is CDD’s Building Permit records. Table 2 provides a summary of the history from that source.

---

<sup>1</sup> A large reduction in staff at the Kensington Mine from over 100 to about 20 today occurred after CDD published the 2008 population estimate. This decline will show up in the mid-2009 estimate, if CDD does one.

**Table 1 - CBJ Housing and Population History**

| No. Dwelling Units* (DU) | Persons per Household (PPH) | Year | Population Estimates |            |                  |
|--------------------------|-----------------------------|------|----------------------|------------|------------------|
|                          |                             |      | AK Dept. of Labor    | Population | Mo./Yr. Prepared |
| 13,007                   | 2.48                        | 2008 | N/A                  | 30,947     | 05/08            |
|                          |                             | 2007 | N/A                  | N/A        |                  |
| 12,801                   | 2.48                        | 2006 | 30,650               | 31,160     | 06/06            |
|                          |                             | 2005 | 31,182               | 31,193     | 02/06            |
|                          |                             | 2004 | 31,094               | 31,142     | 1/05             |
|                          |                             | 2003 | 31,286               | 31,283     | 1/04             |
|                          |                             | 2002 | 30,991               | 30,981     | 1/03             |
| 12,369                   | 2.49                        | 2001 | 30,453               | 30,903     | 11/01            |
|                          |                             | 2000 | (US Census) 30,711   | 31,262     | 11/00            |
|                          |                             | 1999 |                      | 30,852     | 11/99            |
| 11,965                   | 2.60                        | 1998 |                      | 30,684     | 10/98            |
| 11,781                   | 2.60                        | 1997 |                      | 30,396     | 10/97            |
| 11,515                   | 2.65                        | 1996 |                      | 30,209     | 10-11/96         |
| 11,186                   | 2.65                        | 1995 |                      | 29,755     | 10/95            |
| 10,912                   | 2.64                        | 1994 |                      | 29,078     | 10/94            |
| 10,821                   | 2.64                        | 1993 |                      | 28,791     | 10/93            |
| 10,538                   | 2.76                        | 1992 |                      | 29,251     | 10/92            |
| 10,451                   | 2.76                        | 1991 |                      | 28,965     | 9-10/91          |
|                          |                             | 1990 | (US Census) 26,751   | 29,881     | 9-10/90          |

\* This number is derived from Assessor records, not the Building Permit data.  
DU – Dwelling Unit  
PPH – Persons Per Household

# Attachment E - 2009 Traffic Impact Analysis, North Douglas Highway and roundabout

| <b>Year</b> | <b>No. Res. Units Added</b> |
|-------------|-----------------------------|
| 1997        | 232                         |
| 1998        | 147                         |
| 1999        | 138                         |
| 2000        | 114                         |
| 2001        | 108                         |
| 2002        | 153                         |
| 2003        | 205                         |
| 2004        | 149                         |
| 2005        | 142                         |
| 2006        | 157                         |
| 2007        | 97                          |
| 2008        | 55                          |
| Total       | 1,694                       |

One discrepancy is evident. The number of Dwelling Units (DUs) claimed (Assessor) in 1997 was 11,781. Table 2 (Building Permit) shows that 1,694 units were added to the housing stock. These two numbers total 13,475, yet the CDD claims (Assessor) just 13,007 DUs in 2008; so where are the missing 468 DUs? This seems like a large number. There are three considerations.

1. The City does not keep good records of the number of DUs lost over the years. There may be data available, but it doesn't show up in the two City sources used to develop the tables above.
2. The Building Permit information is based on permits issued and may not reflect how many units were actually built. A discussion with Debra Purves, the CBJ Building Official, suggests this is unlikely to account for very many units. By the time a developer is all the way to the end of the Building Permit process, there has been a significant amount of time and money spent on planning and design and so the incentive to finish the project is high.
3. CDD's DU totals for building permits processed in 2008 were reviewed by Walsh Planning & Development Services and found to be somewhat inaccurate. Some building permits were listed as showing production of a new DU when in fact they did not. Some projects were remodel efforts that were listed as creating new units but in fact did not. One project clearly removed an apartment from a house, lowering the inventory by one.

The larger question though, is if there are were 28,965 people living in Juneau in 1991 in 10,451 DUs, and in 2008 there were 13,007 DUs housing 30,947 people (and this after the population had actually been larger, topping out in 2005 according to both DOL and CDD); then how can so few people inhabit so many homes? The answer is in two parts, Persons Per Household (PPH) and vacancy rates. The former is lower than in 1991 and the latter is much higher.

|      | No. DU | Vac. Rate | Occupied Units | Multiply | Persons per Household | Gross Derived Population | Corrected After Summing Subarea Calculations |
|------|--------|-----------|----------------|----------|-----------------------|--------------------------|--|
| 1991 | 10,451 | 1.20%     | 10,325         | X        | 2.76                  | 28,497                   | 28,965                                       |
| 2008 | 13,007 | 3.55%     | 12,546         | X        | 2.48                  | 31,114                   | 30,947                                       |

NOTE: The reason for the difference between the "Gross" and "Corrected" populations is that CDD performs the Vacancy/PPH calculation for each of nine subareas in the City and sums the products of those calculations. The Gross column above is the product of the summary numbers in the table

Juneau had a housing shortage in 1991 (and anecdotally, has had since anyone can remember) causing the higher PPH and very low vacancy rates. It was a seller’s market. Other data show an aging of the population, which indicates that there were more children in homes in 1991 compared to 2008. As the children moved out and started their own households, the parents stayed on as well, thus lowering the PPH.

A true buyer’s market is generally said to reflect a 5 percent vacancy rate. In 2008 Juneau was getting close. Apartments (4.42 percent) were near 5 percent and duplexes (7.29 percent) were considerably higher; but the gold standard – the detached single-family home – only reached 2.16 percent<sup>2</sup>. Local real estate agents say this is enough to cause sellers to be “negotiable” and home prices did fall slightly in 2008.

The 2008 year was an instructive one for housing analysis. According to a real estate broker whose firm handled 20 percent of the transactions in 2008, there were 284 residential sales in Juneau during that year, including condominiums, townhouses, attached homes, and detached single-family homes. The broker’s estimate was that 75 percent of the buyers were people who already lived in Juneau and wanted to upgrade (or perhaps downgrade to reflect smaller family size) from previous quarters.

**2.2 Future CBJ Trends**

The recent past might seem to portend a glum development future for Juneau. This will be explored further below, but the *need* for additional housing should also be examined. The CBJ conducted a housing study recently. The key standard for assessing housing affordability, as set forth in the study, is as follows:

“For a homeowner, the mortgage, private mortgage insurance, homeowners’ association fee, and taxes, plus essential utilities, should not exceed 30% of the household’s income.”<sup>3</sup>

A similar standard is set for renters. The report goes on to say that in 2000, “approximately 37 percent of CBJ *renter* households paid more than 30 percent of their income for shelter and about 17 percent of *owner* households paid more than 30 percent of their income for shelter.” (Emphasis in the original)

<sup>2</sup> All of these vacancy factors came from CDD’s 2008 population estimate.

<sup>3</sup> The report does not specify whether this is gross income or net take-home pay. Discussions with local bankers show bank policy of 30 percent, or less, of the gross is needed to qualify for a mortgage. The 30 percent is to cover the mortgage, all insurances, homeowner’s fees, and taxes. It does not include utilities.

# Attachment E - 2009 Traffic Impact Analysis, North Douglas Highway and roundabout

Oddly, the report goes on to say these figures did not include the costs of essential utilities such as home heating, power, water, sewer, and garbage service. Obviously, if the essential utilities were included, the number of renters and owners who pay too much would be higher still, especially considering the recent price hikes in fuel oil. Neither standard addresses fire and liability insurance.

Two other standards relating to the health of the housing stock relate to safety/sanitary conditions and overcrowding. The report says Juneau is doing well regarding these standards, but clearly not in the affordability department. Finally, after some hedging, the report declares that “an addition of 750 to 1,000 units in the near term would probably significantly ease the cost burden on Juneau households.”

The CBJ report does not specify what kind of additional units should be supplied and it should be clear that this is an expression of need based on affordability - not necessarily market demand. In general, it is safe to say that as long as there is an assured variety in the units – ranging from rental apartments through large, detached single-family homes – then Juneau’s housing affordability problem would be addressed by additional development. The report goes on to address ways and means to expand the housing inventory. The original purpose for this traffic study – to rezone a large area of land soon to be served with sewer along NDH – will definitely serve to help meet the report’s goals. The CBJ is serious about expanding the housing stock, having already taken several actions to encourage developers to produce affordable units.

Finally, on the subject of housing, the conclusion is apparent that even with little or no population growth, there is still pressure to build more dwelling units to address that part of the population that wants to upgrade (or perhaps just live in a different location), and to address that part of the population that does not have enough affordable housing options.

Population growth has been slow in Juneau. Just how slow depends on which starting point is used. The DOL estimates are never exactly the same as CDD’s but they are much closer in recent years. At the common starting point on Table 1, 1990, there is a much wider discrepancy. DOL uses the U.S. Census for years ending in zero and the number in 1990 was 26,751. CDD’s estimate for 1990 was 29,881, a difference of 3,130 people.

The highest population, according to both CDD and DOL, was in 2005. Using DOL numbers, the population grew by 4,431 people from 1990 to 2005. According to CDD, the population grew by about 1,312 people over the same 15-year period. The DOL numbers indicate a growth rate of 1.04 percent per year compounded annually. The CDD growth rate works out to about 0.3 percent per year.

CDD and the DOT&PF have typically used growth rates of 1.0 to 1.5 percent per year for planning purposes. Merging the DOL and CDD numbers to arrive at an anticipated growth rate is mathematically awkward, and the past does not always foretell the future. Even so, there are anticipated events that may help a projection:

- Opening of the Kensington Mine will require 300 workers to finish construction and begin operations. Construction could finish in mid-to-late 2010, at that point the permanent mine population is expected to be about 200, which will generate another 170 indirect jobs. The 370 total jobs could reflect a population increase of 500 to include spouses and children.
- The Juneau access road, now called the Lynn Canal Highway, will generate construction jobs for many years if it goes forward. There is still doubt over whether the project will ever launch, but it is

# Attachment E - 2009 Traffic Impact Analysis, North Douglas Highway and roundabout

state and local policy that it should. DOT&PF has stated the intention that the work will be broken up into small increments that will allow local and regional contractors to bid on the job. The Final Environmental Impact Statement (EIS) for the road estimates that direct, indirect, and induced employment will total 360 jobs. The project will go on for several years – at least 5 and potentially as long as 12.

- The Alaska state budget looks flat for the immediate future but if the price of oil stabilizes post-recession, and the gas pipeline draws closer to reality, it can be expected that the Juneau-based state employee work force will grow modestly.
- The price of gold is higher at present than it has been for decades. If the mining industry sees the price stay high, then interest in other mines could be sparked. The Tulsequah Chief Mine up the Taku River is slated to start up in 2009. A few local direct jobs will be created, and the mine’s developer expects to spend about \$25 million a year in Juneau (mostly on commodities), which will generate some indirect jobs. There are many other historic mine sites, which are still believed to contain valuable ore. Foremost of these is the AJ Mine, which was the subject of much endeavor during the late 1980s and the first half of the 1990s, sparking a lot of economic activity just in the exploration, planning, and permitting effort.
- Juneau has many amenities and appears to be a reasonably attractive place to retire. Many who have lived here during their careers continue to stay after retiring. Certainly the City and Borough of Sitka has enjoyed this status, even to the point where people from out-of-town have arrived to retire.
- There is also a pattern of in-migration from the smaller outlying communities that are having economic problems of their own.

All of the foregoing suggests that the current decline may be short and that modest growth can be expected in the next 20 years. A merged DOL/CDD derived growth rate of 0.7 percent might actually reflect reality, but working with a slightly higher rate will ensure that traffic is not under-projected. So, Table 4 is based on a 1.0 percent population growth rate. However, the housing growth rate is based on a higher number. As noted above, there are higher vacancy rates and lower occupancy rates today than 18 years ago. From 1990 to 2000, housing grew at almost 1.8 percent. From 2001 to 2008 the rate dropped to less than 1.0 percent. For the future, given natural growth, new industry, and community pressure to make housing more affordable, a housing growth rate of 1.2 percent was used.

Table 4 was compounded on an annual basis. The population for each year is 101.0 percent of the preceding year and the housing units for each year are 101.2 percent of the number for the preceding year.

| <b>Year</b> | <b>Pop. @ 1.0%/yr.</b> | <b>Dwelling Units @ 1.2%/yr</b> |
|-------------|------------------------|---------------------------------|
| 2009        | *31,247                | **13,062                        |
| 2010        | 31,559                 | 13,219                          |
| 2011        | 31,875                 | 13,377                          |
| 2012        | 32,193                 | 13,538                          |
| 2013        | 32,516                 | 13,700                          |
| 2014        | 32,840                 | 13,865                          |
| 2015        | 33,169                 | 14,031                          |
| 2016        | 33,501                 | 14,200                          |
| 2017        | 33,836                 | 14,370                          |
| 2018        | 34,174                 | 14,542                          |

# Attachment E - 2009 Traffic Impact Analysis, North Douglas Highway and roundabout

| Year | Pop. @ 1.0%/yr. | Dwelling Units @ 1.2%/yr |
|------|-----------------|--------------------------|
| 2019 | 34,516          | 14,717                   |
| 2020 | 34,861          | 14,894                   |
| 2021 | 35,210          | 15,072                   |
| 2022 | 35,562          | 15,253                   |
| 2023 | 35,917          | 15,436                   |
| 2024 | 36,276          | 15,622                   |
| 2025 | 36,640          | 15,809                   |
| 2026 | 37,006          | 15,999                   |
| 2027 | 37,376          | 16,190                   |
| 2028 | 37,750          | 16,384                   |
| 2029 | 38,127          | 16,580                   |
| 2030 | 38,509          | 16,779                   |

\*Taken from the 2008 CDD estimate with a 300 increase due to start up of the Kensington.  
\*\* These are the 2008 (May) numbers plus the building permits issued that year.

This indicates 1,832 new units will be added between 2010 and 2020, and an additional 1,885 new units between 2021 and 2030<sup>4</sup>. The question arises, what kind will they be? The percentage of high-density units like condos and apartments is sure to go up because there is so little land available for lower-density developments. According to its population estimate, CDD describes the distribution of housing types in 2008 as follows (Table 5):

| Housing Type        | Total Units | % of Whole |
|---------------------|-------------|------------|
| Single-family (SF)  | 5,735       | 44.09      |
| Apartments (SF)     | 683         | 5.25       |
| Duplex              | 580         | 4.46       |
| Zero-Lot            | 826         | 6.35       |
| Condo/Townhouse     | 1,184       | 9.10       |
| Multi-Family        | 2,666       | 20.49      |
| Mobile Home         | 1,237       | 9.52       |
| Boats               | 89          | 0.68       |
| RVs                 | 7           | 0.06       |
| Total Housing Units | 13,007      | 100.00     |

Some further background will set the stage for estimating the future housing mix. The CBJ requires public sewer and water for any development that is denser than one unit per acre. There are several areas north of Auke Bay that are in private ownership and have been developed at this density, and several areas also in private ownership that could be so developed in the future. This is the most land-consumptive and least affordable form of residential development. Traditional neighborhoods in the utility-served areas of town are developed at densities of three to five units per acre. These are the D-3 and D-5 zoning districts, which also allow duplexes and zero-lot line structures. There is a land penalty for the double units. In D-3, the minimum lot size for a single-family unit is 12,000 square feet. A

<sup>4</sup> Despite the difference in growth rates, the change in PPH is very small. It will shrink from 2.39 in 2009 to 2.29 in 2030, according to the table.

# Attachment E - 2009 Traffic Impact Analysis, North Douglas Highway and roundabout

double unit requires 18,000 square feet. For D-5, the single unit minimum is 7,000 square feet and a double unit needs 10,500 square feet.

This kind of development is most easily done on flat dry land, and the east Mendenhall Valley (east of the Mendenhall River) has become Juneau's primary traditional residential area since it is served with both water and sewer. There is relatively little un-built area left in the east valley but sewer has now been extended to the upper west valley along Back Loop Road, and D-3/D-5 development is proceeding there, albeit at a slow pace. There are also sloping areas supporting D-3/D-5 developments, with Mountainside Estates and West Juneau as the primary examples. These homes have views as well as higher development costs and are less affordable than those in flat areas. There is some room for further growth in both areas but the homes will be expensive, generally over \$500,000.

So, the first factor to consider is the increasing scarcity of flat, dry land that is served with public water and sewer. A second factor is the general increase in the cost of building materials ranging from sand to concrete and lumber. A third factor is that the CBJ land use code now provides more options for smaller homes. These are:

1. The Planned Unit Development (PUD) code that allows higher-density, i.e., smaller lots, in exchange for creating public areas and parks to be shared by the development's residents. There is no limit on the house size for PUDs.
2. The Cottage Housing code, similar to PUDs, where there are shared amenities but no real lot associated with the house. Each house would be a single unit, but limited to 1,200 square feet on two floors.
3. Bungalow housing, which will allow small homes no greater than 1,000 square feet to be built as infill on pre-developed lots.

All three of these new options provide that each unit can be bought, thus allowing the owner to gain equity just as in traditional housing, but the land is managed by the community association in the same way as a condominium association. All three would allow the feel of single-family homes in much denser developments, thus providing more affordable homes than traditional single-family developments.

A fourth factor is recent local trends in housing type development. The period from 2001 to 2008 may be more instructive than the earlier housing history. The housing mix in 2001, compared with that of 2008 in percentages, is demonstrated in Table 6:

| <b>Table 6 - Housing Mix Comparison: 2001-2008</b> |                            |                   |                   |
|--|----------------------------|-------------------|-------------------|
| <b>Housing Type</b>                                | <b>Housing Mix in 2001</b> |                   | <b>2008</b>       |
|  | <b>Total Units</b>         | <b>% of Whole</b> | <b>% of Whole</b> |
| Single-family (SF)                                 | 5,323                      | 43.06             | 44.09             |
| Apartments (SF)                                    | 587                        | 4.76              | 5.25              |
| Duplex   | 572                        | 4.48              | 4.46              |
| Zero-Lot   | 774                        | 6.28              | 6.35              |
| Condo/Townhouse                                    | 1,098                      | 8.89              | 9.10              |
| Multi-Family                                       | 2,628                      | 21.26             | 20.49             |
| Mobile Home  | 1,225                      | 9.93              | 9.52              |
| Boats  | 129                        | 1.06              | 0.68              |



| Housing Type        | Housing Mix in 2001 |            | 2008       |
|---------------------|---------------------|------------|------------|
|                     | Total Units         | % of Whole | % of Whole |
| RVs                 | 33                  | 0.28       | 0.06       |
| Total Housing Units | 12,369              | 100.00     | 100.00     |

As can be seen, no meaningful trend is apparent (except for RVs). What can be expected, given the other factors cited, is that more of the single-family detached dwellings will be of the smaller size now contemplated in the land use code. With that, the projections for the future can be estimated based on the current mix. For 2020 and 2030, the distributions of new units are expected to be as follows (Table 7):

| Housing Type        | Housing Mix in 2020, New Units |            | Housing Mix in 2030, New |            |
|---------------------|--------------------------------|------------|--------------------------|------------|
|                     | Total Units                    | % of Whole | Total Units              | % of Whole |
| Single-family (SF)  | 808                            | 44.09      | 831                      | 44.09      |
| Apartments (SF)     | 96                             | 5.25       | 99                       | 5.25       |
| Duplex              | 82                             | 4.46       | 84                       | 4.46       |
| Zero-Lot            | 116                            | 6.35       | 120                      | 6.35       |
| Condo/Townhouse     | 168                            | 9.10       | 172                      | 9.10       |
| Multi-Family        | 375                            | 20.49      | 386                      | 20.49      |
| Mobile Home         | 174                            | 9.52       | 179                      | 9.52       |
| Boats               | 12                             | 0.68       | 13                       | 0.68       |
| RVs                 | 1                              | 0.06       | 1                        | 0.06       |
| Total Housing Units | 1,832                          | 100.00     | 1,885                    | 100.00     |

The 2020 projection added to the 2030 projection accounts for all of the 3,717 new housing units expected to be built in Juneau by 2030.

### 2.3 North Douglas Projections

Now the question of how many of these new units would or could be built along NDH can be addressed. First, it appears that the entire length of NDH, out to Bonnie Brae, will eventually be served with sewer before 2020. The current sewer project, to be completed in 2009, will start at the Douglas Bridge and extend about 1-mile northwest, ending at 4300 North Douglas Highway. A second phase, funded and planned for 2010, will go at least as far as the Channel View Terrace mobile home park. What remains is a third phase to connect the rest of the way to Bonnie Brae, which is already served with public sewer. This is not funded but is seen by CBJ Engineering to be reasonable for near-term completion and thus is assumed to be built for our projections.

### 2.4 Section One: Kowee Creek to End of 2009 Sewer Extension

This area, on the uphill side of the highway, is specifically addressed in the 2008 update of the CBJ Comprehensive Plan as a transition area that is to be given high-density residential zoning when sewer is available. The area beyond is not given any transitional status. The Comprehensive Plan shows Section One as transitioning from "Urban Low-density Residential" to "Medium Density Residential." In zoning terms, this has the practical effect of changing from a one unit per acre limitation (forced by lack

# Attachment E - 2009 Traffic Impact Analysis, North Douglas Highway and roundabout

of sewer, not zoning) to one or more of three higher-density options: 10 units per acre, 15 units per acre, or 18 units per acre. This analysis will address development potential as if the entire area uphill of NDH is rezoned to one of the three classifications. The uphill area is a band of land about 1,200 feet wide and almost a mile long.

The area on the water side of Section One is not shown as transitional, meaning it would keep the zoning it has now – D-3. There are 31 individual parcels on the water side of Section One. All but 5 have houses on them, sometimes duplexes. The arrival of sewer will enable more duplexes, or apartment additions to single-family homes. There is one tract that has about 600 feet of frontage on the highway and might be seen to have subdivision potential, but this is made difficult by the CBJ rule that requires new lots to front on residential streets, not arterials, which is the classification of NDH. There are topographic challenges as well. The overall growth potential for this tract is no more than 20 new units

The uphill side of Section One has the most significant growth potential. The rezone application submitted in July 2008 was specific to Parcel 1 and Parcel 5 (see Figure 2). It is anticipated that the City will expand the request to include the entire area between those two parcels and actually, a little further; one parcel short of the area presently zoned General Commercial. This would have the effect of rezoning Parcels 2, 3, and 4 as well as all of the smaller lots – nearly all of which have been developed with single-family houses. The five major parcels are vacant save for Parcel 3, which has a church building on it. The rezone application requests change to D-18, or 18 units per acre. This is typical for apartments, condominiums, row houses, townhouses, and for the new DU types envisioned in the City's new cottage and bungalow housing options.

Parcel 1: 86 acres. No direct access to an existing street. There is an access agreement with the owner of Parcel 4 and a pioneer road, with gate, has been built across Parcel 4 and across the lower portion of Parcel 1. This is shown on Figure 1. A DOT&PF driveway permit was obtained for the driveway intersection with NDH, and sight distance was evaluated at that time. The pioneer road was built to meet CBJ grade and curve requirements and can easily be finished as a public street.

The upper portion of Parcel 1 may be very difficult to develop because of steep slopes and perched wetlands. Legal density for a given parcel is calculated on the basis of how much land is available *after the land needed for right-of-way (ROW) is deducted*. A rough layout of roads for Parcel 1 indicates that up to 8 acres of ROW would have to be dedicated. Rough development considerations that account for wetlands and steep slopes produce another 20-acre penalty leaving 58 acres for density calculation. This produces a development potential of 1,044 DUs if rezoned to D-18.

Parcel 2: 6 acres. Has direct adjacency with NDH. Moderate uphill slope with view potential. This parcel could be developed with a public street. Doing so would probably consume an acre, producing development potential of 90 units. The potential rises to 108 units if no public road is dedicated. There is a possibility that street development on Parcel 2 could be designed to facilitate access to USS 569, and lots 4, 5, and 6 to the west of Parcel 2, which are presently land locked. (There appears to be an unconnected section of ROW in front of these three lots and so there would be no ROW deduction penalty for the three.) Lot 5 presently has a duplex on it, accessed by a long driveway across the private land between it and NDH. Together, these three

# Attachment E - 2009 Traffic Impact Analysis, North Douglas Highway and roundabout

lots comprise 148,104 square feet. At D-18, the three lots could host 61 DUs; a total of 151 units supplying traffic to the intersection location shown for Parcel 2.

Parcel 3: 4.23 acres. The parcel has two potential access locations to NDH. The arrow on the map points to an existing driveway. There is a 6,048 square foot building presently in use as a church. The property has a moderate uphill slope with view potential. The slope is too steep to allow convenient development with internal public streets, so the most likely high-density development scenario is as an apartment or condominium facility. At D-18, the parcel could host 76 DUs.

# Attachment E - 2009 Traffic Impact Analysis, North Douglas Highway and roundabout



FIG. NO.

**NORTH DOUGLAS HIGHWAY REZONE  
TRAFFIC IMPACT ANALYSIS**

**STUDY AREA MAP**

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CITY AND BOROUGH OF JUNEAU  
ALASKA'S CAPITAL CITY

DEPARTMENT OF ENGINEERING

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Architectural • Engineering  
Land Surveying • Planning

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| REV. | DATE | BY | DESCRIPTION OF CHANGE |
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DATE: 7/17/09  
DESIGN: NCL  
DRAWN: W.P.  
CHECKED: MW

**RECORD OF REVISIONS**



# Attachment E - 2009 Traffic Impact Analysis, North Douglas Highway and roundabout

Parcel 4: 17 acres. This parcel has an easy uphill slope and has been developed with the pioneer road leading to Parcel 1. If developed as shown, about an acre of land would be lost to ROW leaving 16 acres to calculate density. This would enable the parcel to host up to 288 dwelling units at D-18 zoning.

Parcel 5: 10.4 acres. The parcel also has an easy uphill slope. Present development planning shows a direct street intersection with NDH. That same planning has resulted in a trial road layout that would consume 1.4 acres of land, leaving 9 acres for density calculation. At D-18, the parcel could host 162 units.

Alternative for Parcels 4 and 5: There may be reluctance to have two public street intersections so close together; as would be the case if both Parcels 4 and 5 were developed independently. An option would be to extend access from Parcel 4 over to Parcel 5 uphill from NDH (see Figure 2). This additional length of road would deduct about nine units from the full build-out potential for Parcel 4. The result, however, would be a street intersection with NDH that supports traffic from Parcels 1, 4, and 5. At full build-out, this could be traffic from 1,485 dwelling units. By contrast, the Cordova Street intersection with Douglas Highway receives traffic from 390 dwelling units, (approximately 210 SF DUs and 180 apartment units.)

At present, it is expected that all of the land will convert to D-18. There are, however, options for lower-density zones such as D-15 and D-10. It is possible that the City could resort to lower-density zones as a compromise. Table 8 shows the development potential under each scenario.

| <b>Parcel</b> | <b>Usable Acres</b> | <b>No. DU @ D-10</b> | <b>No. DU @ D-15</b> | <b>No. DU @ D-18</b> |
|---------------|---------------------|----------------------|----------------------|----------------------|
| 1             | 58                  | 580                  | 870                  | 1,044                |
| 2             | 6                   | 60                   | 90                   | 108                  |
| 3             | 4.23                | 42                   | 63                   | 76                   |
| 4             | 16                  | 160                  | 240                  | 288                  |
| 5             | 9                   | 90                   | 135                  | 162                  |
| Totals        | 77.53               | 932                  | 1,398                | 1,678                |

## 2.5 Section Two: End of 2009 Sewer Extension to Bonnie Brae

The water side has a short multi-family area containing two mobile home parks and a small apartment building. These have been on private sewer for many years and were created long before the modern CBJ land use code. The arrival of public sewer would increase the development potential, but probably not by much since the mobile home units already cover most of the usable land. The apartment building could be enlarged somewhat but it sits on a very small parcel. Further out, there are 64 waterfront single-family parcels, of which only 5 are vacant. There is potential to add apartments to the single-family homes but otherwise there is just no meaningful amount of land to develop.

The uphill side has 74 parcels, of which 11 are vacant. Many are the result of "panhandle" subdivisions where a single, wide and deep parcel is cut into two lots, one behind the other and they share a single driveway for access to NDH. There are 34 lots configured this way, and an additional 21 that are large enough to divide as well. This produces the potential for 21 additional lots, most of which would be

large enough to host a duplex. That, plus the ability to add apartments and the vacant lots add up to a potential increase of 60 units over the next 20 years.

## **2.6 Section Three: Bonnie Brae-Subdivision and the Commercial Area on the Water Side**

The water side is zoned Waterfront Commercial, a fairly limited category where most development must be related to the water in some way. Apartment buildings are not allowed, but hotels and motels are. Single-family homes and duplexes are allowed, as are subdivisions. The parcels are narrow and the residential road requirement discussed above would make subdividing for residential purposes very challenging. Finally, there are two large parcels. One is the ERA Helicopters base and they are not likely to be willing to redevelop their parcel. The other parcel is undeveloped, but its owners have been discussing commercial options with the CBJ.

The uphill side is Bonnie Brae subdivision, which contains 112 dwelling units, mostly in zero-lot line configurations, and 12 vacant lots. All of the vacant lots have the potential to add 2 units so there is an immediate opportunity to build 24 more units on lots that already have street frontage and utilities. Interestingly, there is a 98-acre parcel above Bonnie Brae that is left over from the original subdivision. Within this parcel is another 6.6-acre area designated as a park site and the CBJ is shown as a co-owner. The other 91.4 acres likely have some development potential but also contain a lot of forested wetlands and muskegs. Moreover, a new access route would most likely be required to connect the undeveloped area to NDH. The existing Bonnie Brae entrances might allow some modest development of the area immediately adjacent to the upper portion of Bonnie Brae, but not for the potentially hundreds of lots that could be created with road access. Absent a new road, there is probably potential for another 50 units.

## **2.7 Summary**

The overall population and housing growth projections above estimate the demand for 3,717 new dwelling units over the next 20 years. The three sections of NDH under this analysis would be able to host nearly half of those. Absent some dramatic new availability of land, such as on West Douglas, there is every likelihood that the development predicted for North Douglas will occur.

# Attachment E - 2009 Traffic Impact Analysis, North Douglas Highway and roundabout

City and Borough of Juneau  
North Douglas Highway Rezone

Traffic Impact Analysis  
August 2009

|                      |                    | Existing DU | New DU Potential |       |       |
|----------------------|--------------------|-------------|------------------|-------|-------|
| <b>Section One</b>   | Water Side of NDH  | 27          | 20               |       |       |
|                      | Uphill Side of NDH | 32          | D-10             | D-15  | D-18  |
|                      |                    |             | 580              | 870   | 1,044 |
|                      |                    |             | 60               | 90    | 108   |
|                      |                    |             | 42               | 63    | 76    |
|                      |                    |             | 160              | 240   | 288   |
|                      |                    | 90          | 135              | 162   |       |
| <b>Section Two</b>   | Water Side of NDH  | 115         | 20               | 20    | 20    |
|                      | Uphill Side of NDH | 63          | 60               | 60    | 60    |
| <b>Section Three</b> | Water Side of NDH  | 2           | 10               | 10    | 10    |
|                      | Bonnie Brae Sub.   | 112         | 74               | 74    | 74    |
| <b>Totals</b>        |                    | 351         | 1,116            | 1,582 | 1,862 |

The CBJ Engineering Department issued a conceptual design and technical report for the North Douglas sewer project in 1998. This document presented a 30-year population forecast that coincides with the 20-year planning horizon for the re-zone study. The sewer study included nine zones, the first four of which include the re-zone study area limits. The sewer study provides estimates for the design year (2028) population and full build-out, or saturation, population. Table 10 summarizes developable land area, the potential mix of DU types, and population projections from the sewer study. The sewer study predicted a growth in housing units of 219 housing units from 1998 to 2028, and a saturation-level increase of 1393 housing units.

The growth of 1,116 to 1,862 housing units reported in this Development Projection Summary is more in line with the saturation projections than the 2028 forecast in the sewer report.

| Zone   | Undeveloped Land (Acres) | Existing (1998) |            | Design (2028) |            | Saturation |            |
|--|--------------------------|-----------------|------------|---------------|------------|------------|------------|
|  |                          | DU              | Population | DU            | Population | DU         | Population |
| 1  | 214                      | 80              | 223        | 112           | 312        | 510        | 1,564      |
| 2  | 145                      | 48              | 260        | 133           | 370        | 297        | 860        |
| 3  | 264                      | 87              | 242        | 119           | 332        | 328        | 947        |
| 4  | 150                      | 81              | 226        | 151           | 421        | 554        | 1,567      |
| <b>Totals</b>  | 773                      | 296             | 951        | 515           | 1,435      | 1,689      | 4,938      |
| <b>Source:</b> North Douglas Sewer Conceptual Design and Technical Report, CBJ Engineering Department, December 1985 |                          |                 |            |               |            |            |            |



### 3 TRAFFIC ANALYSIS

This section describes existing traffic conditions, and projected traffic conditions in the year 2028 with the development of the NDH corridor area. It is organized into sections that describe: project trip generation and assignment; 2028 with-project volumes; and future LOS.

#### 3.1 Trip Generation and Distribution

Trip generation for this project was based on the methodologies outlined in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*. The ITE *Trip Generation Manual* is a nationally recognized and locally accepted method for estimating the travel characteristics of homes and businesses. Trip generation was determined by creating a composite trip generation rate based on the variety of possible developments that are expected to take place along NDH.

Table 11 below outlines the land uses that were used to calculate the composite trip generation rate.

| <b>Land Use</b>                     | <b>Description</b>  |
|-------------------------------------|---|
| 210: Single-Family Detached Housing | All single-family detached homes on individual lots. Typical subdivision.                     |
| 220: Apartment                      | Rental dwelling unit with at least three other dwelling units. Typical four-plex.             |
| 221: Low-Rise Apartment             | Rental dwelling units located in rental buildings that have one or two levels.                |
| 223: Mid-Rise Apartment             | Rental dwelling units located in rental buildings that have between three and ten levels.     |
| 230: Condo/Townhouse                | Residential ownership units that have at least one other unit in the same building structure. |
| 231: Low-Rise Condo/Townhouse       | Residential units located in buildings with one or two levels.                                |
| 270: Residential PUD                | Residential planned urban development is a combination of residential land uses.              |

All land uses described in the Table 11 were used to determine two composite trip generation rates. Composite Rate A was based on land uses 210, 220, 221, and 270. This rate was then applied to all development proposed on the water side in Section One of NDH, all of Section Two and Section Three. Composite Rate B was based on land uses 220, 221, 223, 230, and 231. This rate was applied to all development proposed on the uphill side of NDH for Section One only. The trip generation rates equate trip generation to the number of dwelling units.

After the composite trip generation rates were calculated, they were applied to the projected number of new dwelling units described earlier in this report in Table 9. Trips for three different scenarios were calculated based on the different zoning options available, including: D-10, D-15, and D-18. The trips calculated for areas on the water and uphill sides of NDH were combined to determine the total new trip generation for both the AM and PM peak hour conditions.

# Attachment E - 2009 Traffic Impact Analysis, North Douglas Highway and roundabout

A summary of trip generation projections for NDH is shown in the following tables for the weekday AM and PM peak hours. Table 12, Table 13, and Table 14 outline the trip generation for the D-10, D-15, and D-18 development scenarios, respectively.

| <b>Table 12 - Project Trip Generation, D-10 Zoning</b>       |                   |                    |     |       |                    |     |       |
|--|-------------------|--------------------|-----|-------|--------------------|-----|-------|
|  | Dwelling<br>Units | AM Peak Hour Trips |     |       | PM Peak Hour Trips |     |       |
|  |                   | In                 | Out | Total | In                 | Out | Total |
| Composite Rate A   | 184               | 23                 | 80  | 103   | 85                 | 45  | 129   |
| Composite Rate B   | 932               | 102                | 342 | 444   | 339                | 199 | 539   |
| <b>Total</b>   |                   |                    |     |       |                    |     |       |
| Source: ITE Trip Generation Manual (8 <sup>th</sup> Edition) |                   |                    |     |       |                    |     |       |

| <b>Table 13 - Project Trip Generation, D-15 Zoning</b>       |                   |                    |     |       |                    |     |       |
|--|-------------------|--------------------|-----|-------|--------------------|-----|-------|
|  | Dwelling<br>Units | AM Peak Hour Trips |     |       | PM Peak Hour Trips |     |       |
|  |                   | In                 | Out | Total | In                 | Out | Total |
| Composite Rate A   | 184               | 23                 | 80  | 103   | 85                 | 45  | 129   |
| Composite Rate B   | 1,398             | 153                | 512 | 665   | 509                | 299 | 808   |
| <b>Total</b>   |                   |                    |     |       |                    |     |       |
| Source: ITE Trip Generation Manual (8 <sup>th</sup> Edition) |                   |                    |     |       |                    |     |       |

| <b>Table 14 - Project Trip Generation, D-18 Zoning</b>       |                   |                    |     |       |                    |     |       |
|--|-------------------|--------------------|-----|-------|--------------------|-----|-------|
|  | Dwelling<br>Units | AM Peak Hour Trips |     |       | PM Peak Hour Trips |     |       |
|  |                   | In                 | Out | Total | In                 | Out | Total |
| Composite Rate A   | 184               | 23                 | 80  | 103   | 85                 | 45  | 129   |
| Composite Rate B   | 1,678             | 184                | 615 | 799   | 611                | 359 | 970   |
| <b>Total</b>   |                   |                    |     |       |                    |     |       |
| Source: ITE Trip Generation Manual (8 <sup>th</sup> Edition) |                   |                    |     |       |                    |     |       |

### 3.2 Trip Distribution and Forecast Traffic Volumes

Trip distributions from the proposed development were estimated based on existing turning movement distributions at the Douglas roundabout and at the 10<sup>th</sup> and Egan intersections. As such, 10 percent of project trips are expected to/from Douglas, thus traveling straight through the Douglas Highway/NDH roundabout. The remaining trips cross the bridge and diverge at the Egan Drive/10<sup>th</sup> Street intersection. At this point, 25 percent of total project trips are expected to/from the north on Egan Drive (toward the Mendenhall Valley), 5 percent to/from the east on 10<sup>th</sup> Street, and 60 percent to/from the south on Egan Drive (toward downtown).

Project trips were then assigned to the study area based on the distribution assumptions. Typically, a growth rate is applied to existing traffic and added to project generated trips. A growth rate was not used in this case because Juneau has not shown any significant traffic growth in the past several years. The project trip assignments were combined with existing traffic volumes for both the AM and PM peak hours.

**3.3 Traffic Operations**

Traffic conditions were evaluated for this study using the Level of Service (LOS) methodologies of the *Highway Capacity Manual* (Transportation Research Board, 2000). The *Highway Capacity Manual* (HCM) is a nationally recognized and locally accepted method of measuring traffic flow and congestion for intersections. Criteria range from LOS A, indicating free-flow conditions with minimal vehicle delays, to LOS F, indicating congestion with significant vehicle delays.

LOS for a signalized intersection is defined in terms of the average delay experienced by all vehicles at the intersection, typically over a specified time period such as a peak hour. Threshold values are listed in Table 15. LOS for roundabout intersections has not been defined by the HCM due to the variety of analysis methods available. However, the National Cooperative Highway Research Program (NCHRP) Report 572 recommends using stop controlled intersection criteria for roundabout LOS. These criteria are shown in Table 15 and are reported by approach. The differing LOS criteria reflect drivers' increased tolerance for delay at signalized intersections.

| <b>Table 15- Intersection Level of Service Criteria</b> |   |   |   |
|---|---|---|---|
| <b>Level of Service</b>                                 | <b>Signalized Control Delay (sec/veh)</b> | <b>Roundabout Control Delay (sec/veh)</b> | <b>General Description</b>  |
| A   | ≤10                                       | ≤10                                       | Free flow   |
| B   | >10 – 20                                  | >10-15                                    | Stable flow (slight delays)   |
| C   | >20 – 35                                  | >15-25                                    | Stable flow (acceptable delays)   |
| D   | >35 – 55                                  | >25-35                                    | Approaching unstable flow (tolerable delay, occasionally wait through more than one signal cycle before proceeding) |
| E   | >55 – 80                                  | >35-50                                    | Unstable flow (intolerable delay)   |
| F   | > 80                                      | >50                                       | Forced flow (jammed)  |
| Source: Highway Capacity Manual (TRB, 2000)             |   |   |   |

The Egan Drive and 10<sup>th</sup> Street intersection is a signalized intersection. The LOS was calculated using Synchro Version 7, Build 793 (Trafficware, 2007). This intersection analysis software tool is based on the methodologies of HCM 2000 and is accepted by DOT&PF. The Douglas roundabout intersection was analyzed using the methodologies presented in NCHRP 572, which is the DOT&PF preferred method. Roundabout delay and LOS are reported as a weighted average for the entire intersection, while the volume to capacity (v/c) ratio is reported for the approach with the highest v/c ratio. Signal statistics are reported as an average for the entire intersection.

**3.3.1 Existing Conditions**

Existing traffic operations were analyzed as a means of comparison again the trips generated by the development along NDH. Evaluations were conducted based upon existing road geometries and control data noted in the field. Table 16 and Table 17 provide summaries of existing LOS, average vehicle delays, and the v/c ratio.

| <b>Table 16- Existing Level of Service Summary – AM Peak Hour</b>   |                        |                          |                        |
|---|------------------------|--------------------------|------------------------|
| <b>Location</b>   |                        |                          |                        |
|   | <b>LOS<sup>1</sup></b> | <b>Delay<sup>2</sup></b> | <b>V/C<sup>3</sup></b> |
| Egan/10 <sup>th</sup>   | E                      | 57.0                     | 1.12                   |
| Douglas Hwy/NDH   | B                      | 12.5                     | 0.77                   |
| 1. LOS = level-of-service<br>2. Average control delay for intersection (sec/veh)<br>3. V/C = volume to capacity ratio |                        |                          |                        |

| <b>Table 17 - Existing Level of Service Summary – PM Peak Hour</b>  |                        |                          |                        |
|---|------------------------|--------------------------|------------------------|
| <b>Location</b>   |                        |                          |                        |
|   | <b>LOS<sup>1</sup></b> | <b>Delay<sup>2</sup></b> | <b>V/C<sup>3</sup></b> |
| Egan/10 <sup>th</sup>   | D                      | 51.0                     | 1.17                   |
| Douglas Hwy/NDH   | A                      | 8.4                      | 0.65                   |
| 1. LOS = level-of-service<br>2. Average control delay for intersection (sec/veh)<br>3. V/C = volume to capacity ratio |                        |                          |                        |

**3.3.2 Future Conditions**

The intersections were analyzed to evaluate traffic conditions and operations that include the proposed development, based on the forecasts described above. Table 18 and Table 19 provide a summary of the analyses for the AM and PM peak hours, respectively.

| <b>Table 18- Future Level of Service Summary – AM Peak Hour</b>   |                         |                          |                        |                         |              |            |                         |              |            |
|---|-------------------------|--------------------------|------------------------|-------------------------|--------------|------------|-------------------------|--------------|------------|
| <b>Location</b>   | <b>D-10 Development</b> |                          |                        | <b>D-15 Development</b> |              |            | <b>D-18 Development</b> |              |            |
|   | <b>LOS<sup>1</sup></b>  | <b>Delay<sup>2</sup></b> | <b>V/C<sup>3</sup></b> | <b>LOS</b>              | <b>Delay</b> | <b>V/C</b> | <b>LOS</b>              | <b>Delay</b> | <b>V/C</b> |
| Egan/10 <sup>th</sup>   | F                       | 103.1                    | 1.30                   | F                       | 125.9        | 1.50       | F                       | 361.9        | 3.11       |
| Douglas Hwy/NDH   | F                       | 149.7                    | 1.17                   | F                       | 343.7        | 1.38       | F                       | 519.3        | 1.52       |
| 1. LOS = level-of-service<br>2. Average control delay for intersection (sec/veh)<br>3. V/C = volume to capacity ratio |                         |                          |                        |                         |              |            |                         |              |            |

# Attachment E - 2009 Traffic Impact Analysis, North Douglas Highway and roundabout

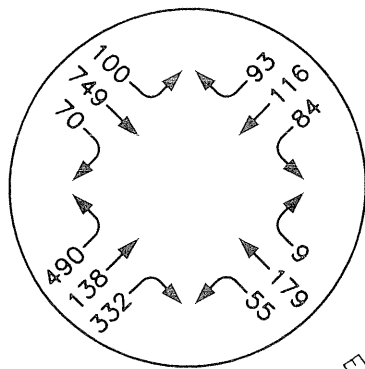
| Location              | D-10 Development |                    |                  | D-15 Development |       |      | D-18 Development |       |      |
|-----------------------|------------------|--------------------|------------------|------------------|-------|------|------------------|-------|------|
|                       | LOS <sup>1</sup> | Delay <sup>2</sup> | V/C <sup>3</sup> | LOS              | Delay | V/C  | LOS              | Delay | V/C  |
| Egan/10 <sup>th</sup> | F                | 184.4              | 2.18             | F                | 244.6 | 2.58 | F                | 361.9 | 3.11 |
| Douglas Hwy/NDH       | B                | 13.7               | 0.71             | C                | 24.2  | 0.90 | E                | 48.0  | 1.00 |

1. LOS = level-of-service  
2. Average control delay for intersection (sec/veh)  
3. V/C = volume to capacity ratio

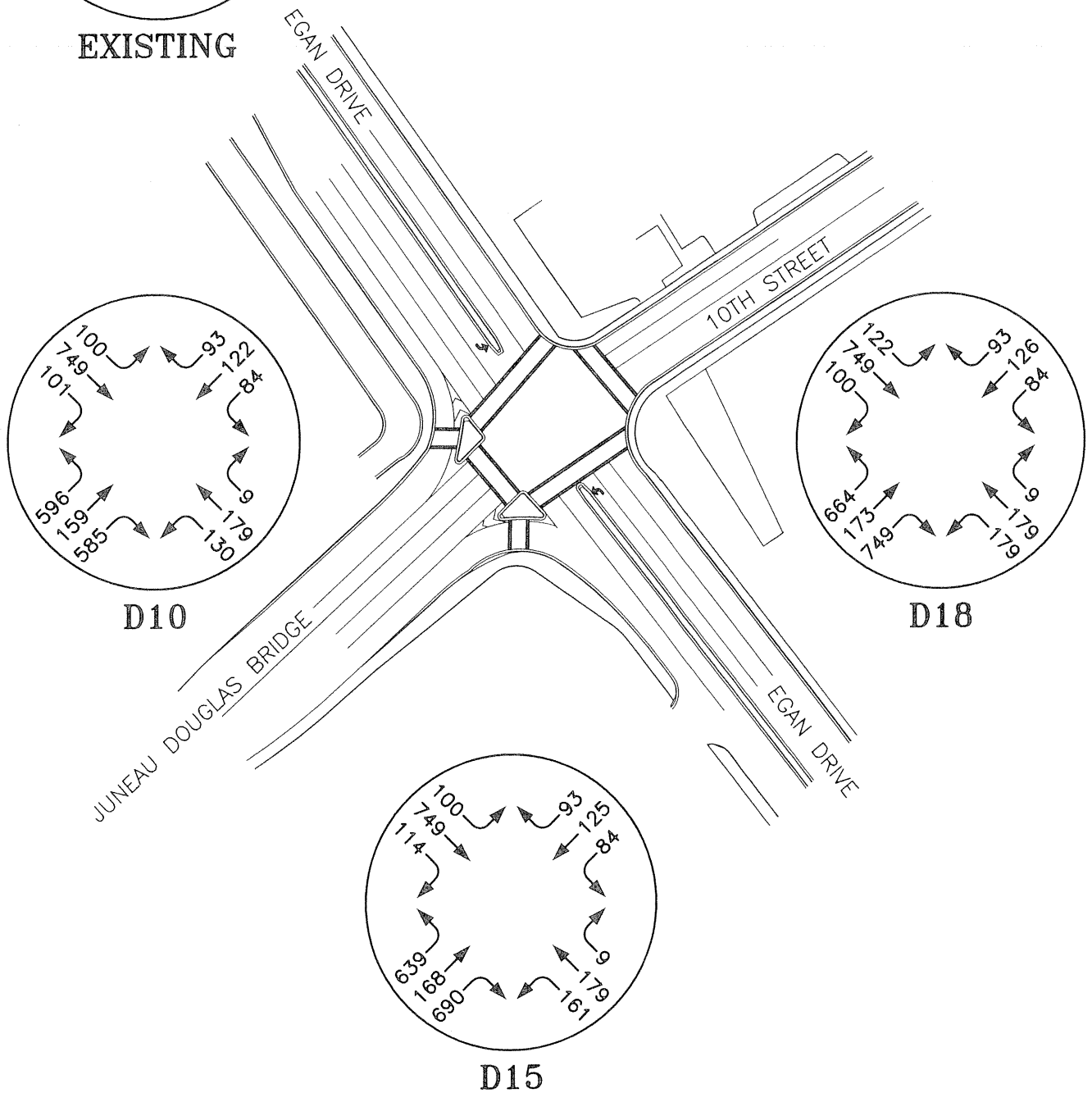
Traffic Volumes at these two intersections are portrayed in Figures 3 through 6. AM and PM traffic volumes are shown for the existing conditions along with each of the different levels of development.

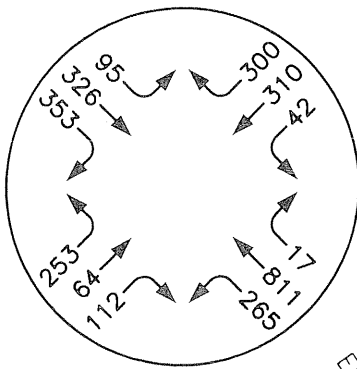
The intersections were also evaluated to estimate how much additional traffic could be added before the LOS was reduced to F. At Egan Drive/10<sup>th</sup> Street, the limiting time was the PM peak hour. The intersection would be able to accommodate an additional 517 entering vehicles before reaching LOS F during the PM peak hour, assuming the signal phase splits could be optimized for the traffic volumes. This corresponds to an additional 184 dwelling units at Composite Rate A plus an additional 666 dwelling units at Composite Rate B.

At the Douglas Highway/NDH roundabout, the AM peak hour was the limiting time, at which time the roundabout would be able to accommodate an additional 334 vehicles before reaching LOS F. This corresponds to an additional 184 dwelling units at Composite Rate A plus an additional 481 dwelling units at Composite Rate B. The Federal Highway Administration states that when v/c ratios on roundabout approaches exceed 0.85, operations tend to breakdown frequently and unpredictably. If the v/c ratio threshold is used to determine roundabout failure, only 126 additional AM peak hour vehicles could be added. This corresponds to an additional 184 dwelling units at Composite Rate A plus an additional 48 dwelling units at Composite Rate B.

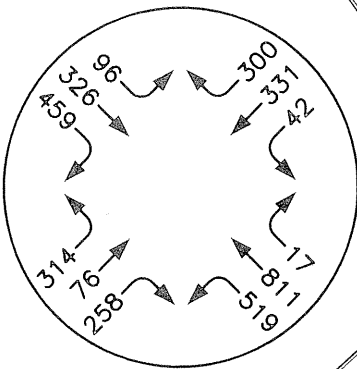


EXISTING

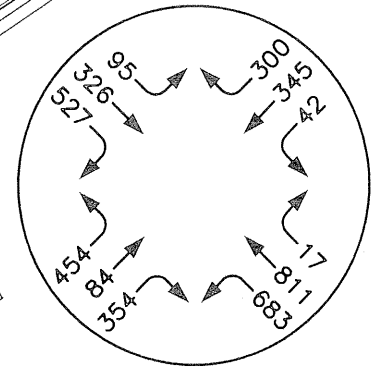




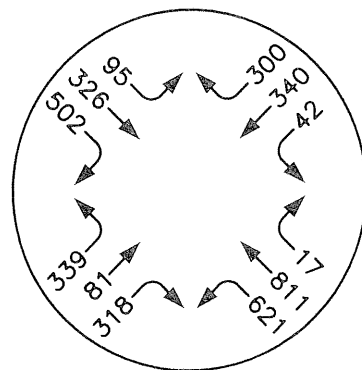
EXISTING



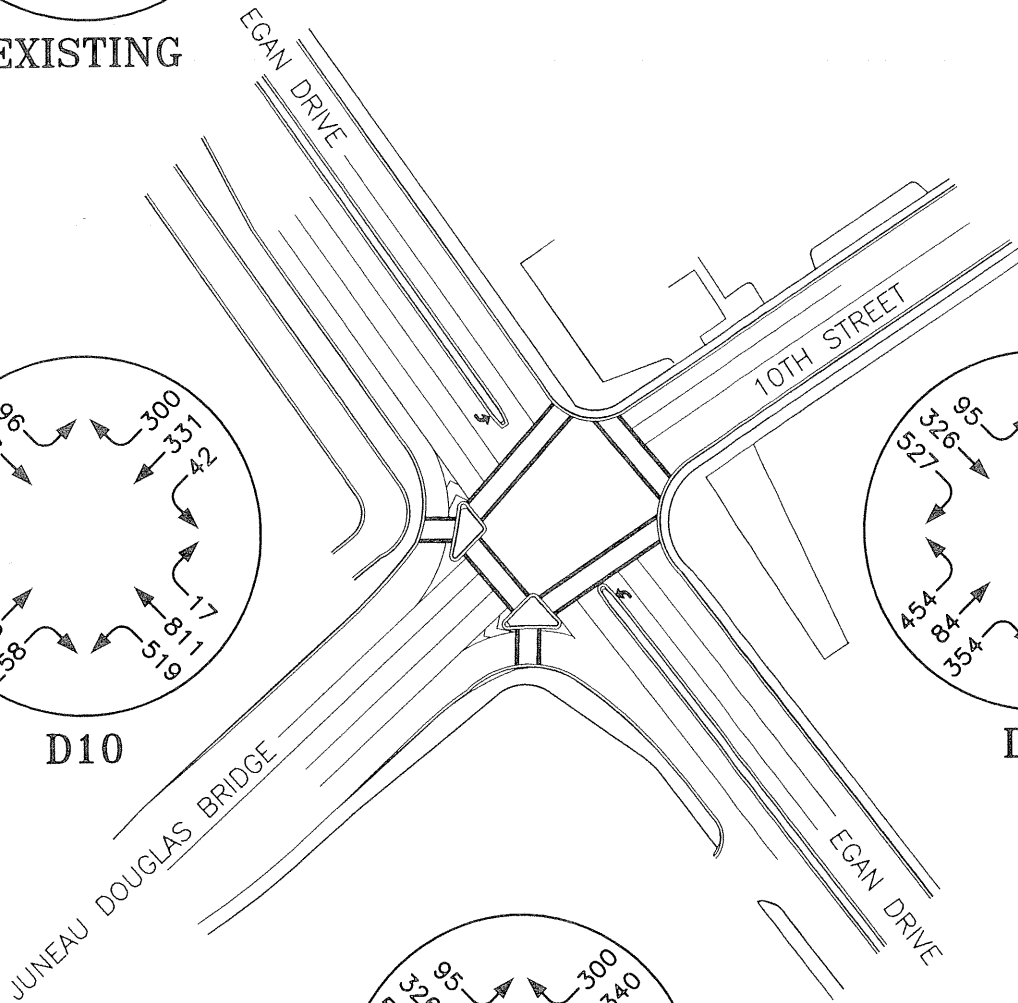
D10



D18



D15

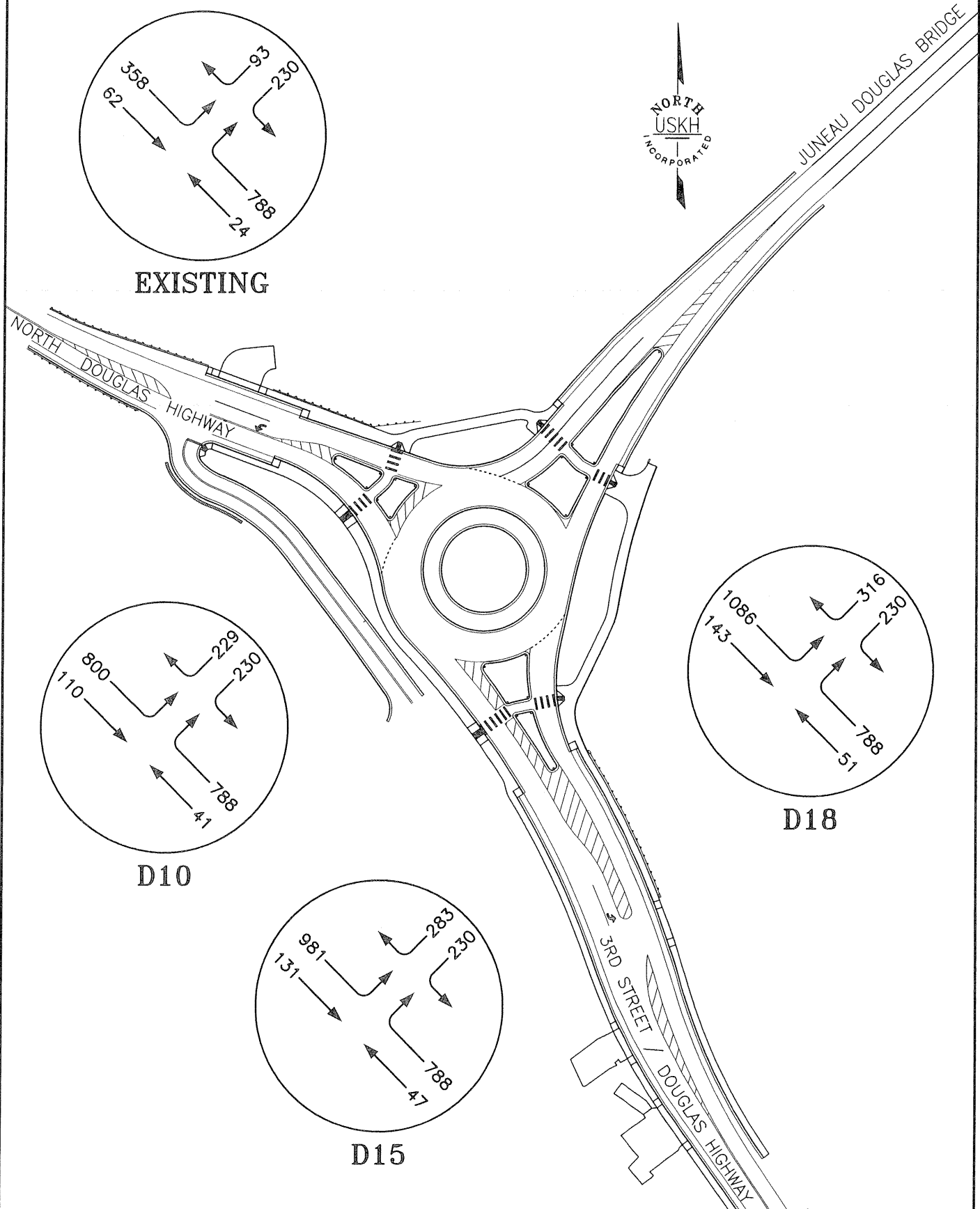


**USKH**  
 Architecture • Engineering  
 Land Surveying • Planning

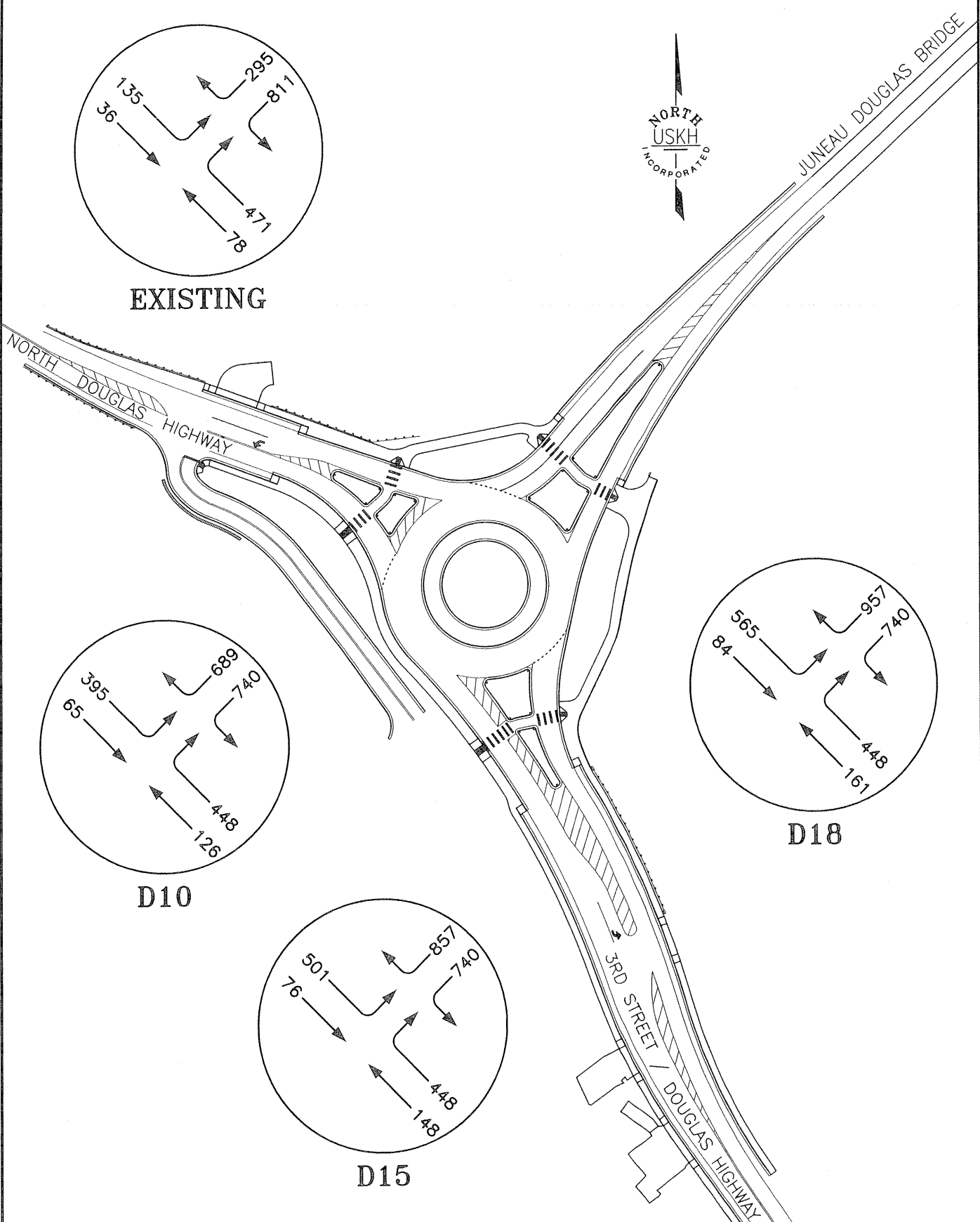
**CITY AND BOROUGH OF JUNEAU**  
 ★ ALASKA'S CAPITAL CITY  
**DEPARTMENT OF ENGINEERING**



|          |   |
|----------|---|
| PROJECT: | NORTH DOUGLAS HIGHWAY REZONE<br>TRAFFIC IMPACT ANALYSIS |
| TITLE:   | PM VOLUME DATA FOR<br>10TH STREET & EGAN DRIVE          |
| CLIENT:  | CITY & BOROUGH OF JUNEAU                                |

FIGURE NO.  
**4**







|  |  |  |  |
|--|--|--|--|
| <br>Architecture • Engineering<br>Land Surveying • Planning | <br>CITY AND BOROUGH OF JUNEAU<br>★ ALASKA'S CAPITAL CITY<br><b>DEPARTMENT OF ENGINEERING</b> | PROJECT: <b>NORTH DOUGLAS HIGHWAY REZONE<br/>TRAFFIC IMPACT ANALYSIS</b> | FIGURE NO.<br><br><span style="font-size: 2em;">6</span> |
|  |  | TITLE: <b>PM VOLUME DATA FOR<br/>THE DOUGLAS ROUNDABOUT</b>              |  |
|  |  | CLIENT: <b>CITY &amp; BOROUGH OF JUNEAU</b>                              |  |

**3.4 Access Road Intersections**

The access road schemes for future development along the NDH corridor have not been established at this time. Driveways and access roads connecting to NDH will be subject to the DOT&PF driveway permit process. In general, access points for new developments should be aggregated to the extent feasible, and access roads should be spaced at least one quarter mile from adjacent access roads.

The need for auxiliary lanes at access road intersections will depend on the traffic demands at the intersection, both turning onto the access road and continuing through the intersection on NDH. The following figures from NCHRP 457 give guidance on what traffic thresholds justify adding auxiliary turn bays onto NDH. Figure 7 applies for left-turn lanes and Figure 8 is applicable to right-turn lanes. It will be the responsibility of the developer to determine what, if any, auxiliary lanes are necessary on the access roads.

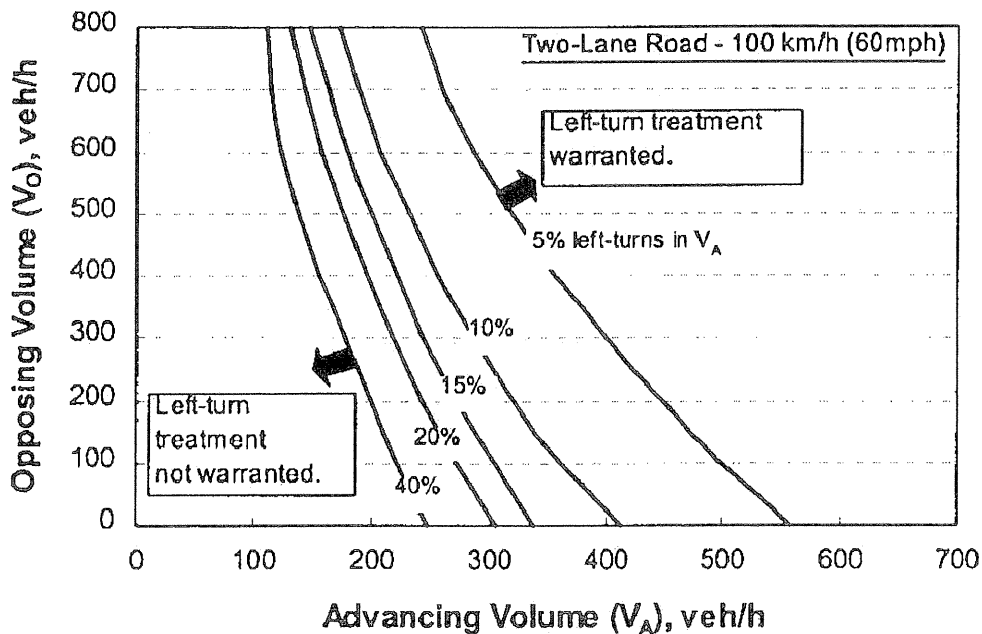


Figure 7 Left-Turn Lane Thresholds

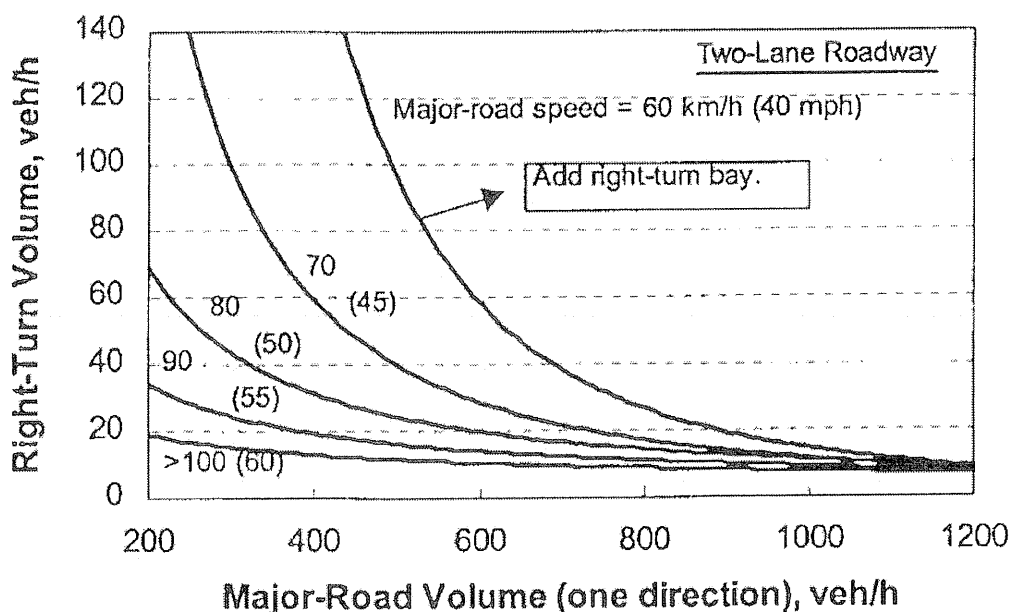


Figure 8 Right-Turn Lane Thresholds

### 3.5 Pedestrian and Bicycle Facilities

This segment of North Douglas Highway has 12-foot traffic lanes and 6- to 8-foot shoulders. Commuter bicycle traffic may use the traffic lanes or shoulders. The shoulders provide for other non-motorized traffic. In the 5-year time period analyzed in Section 2.6, only one collision involving non-motorized traffic has occurred. In May 2004 a vehicle collided with a pedestrian near 1.3 Mile causing a minor injury. The collision occurred during daylight hours on a straight and dry section of highway; inadequate pedestrian facilities do not appear to have been a factor.

Shoulder widths should be maintained when adding or improving access points along the highway. If auxiliary lanes are warranted, maintaining current lane and shoulder widths will help maintain a safe environment for non-motorized use.

### 3.6 Accident Analysis

DOT&PF analyzed safety at the intersections of Egan Drive and 10<sup>th</sup> Street and Douglas Highway and NDH and published the results in a Preliminary Engineering Report in December 2002. The analysis concluded that both intersections warranted safety improvements. DOT&PF constructed the roundabout at the Douglas Highway and NDH intersection to address capacity and safety in 2006. Recommended improvements at Egan Drive and 10<sup>th</sup> Street have not been constructed. DOT&PF has not recently studied collisions at these two intersections, but since traffic volumes have not increased, anecdotal evidence suggests no significant changes in safety conditions at the Egan Drive and 10<sup>th</sup> Street intersection, and improved safety at the Douglas roundabout.

DOT&PF provided collision statistics for NDH north of the roundabout for 2003 through 2007. A total of 37 collisions were reported within the limits of this study. No collisions resulted in fatalities, 3 caused

# Attachment E - 2009 Traffic Impact Analysis, North Douglas Highway and roundabout

an incapacitating injury, 12 caused only non-incapacitating or possible injuries, and 22 resulted only in property damage. The tables below summarize the number of collisions by date, location and type.

| Year  | No. |
|-------|-----|
| 2003  | 12  |
| 2004  | 7   |
| 2005  | 5   |
| 2006  | 6   |
| 2007  | 7   |
| Total | 37  |

| Milepoint Range | No. |
|-----------------|-----|
| 0 - 0.5         | 7   |
| 0.5 - 1         | 5   |
| 1 - 1.5         | 8   |
| 1.5 - 2         | 6   |
| 2 - 2.5         | 2   |
| 2.5 - 3         | 4   |
| 3 - 3.3         | 5   |
| Total           | 37  |

| Type                  | No. |
|-----------------------|-----|
| Rear End              | 8   |
| Angle                 | 9   |
| Pedestrian            | 1   |
| Parked Vehicle        | 1   |
| Intersection/Driveway | 15  |
| Single Vehicle        | 17  |
| Multiple Vehicle      | 20  |

The collision history shows a pattern of accidents at intersections and driveways, which is typical of high-speed highways with many access points. The rate of accidents is not high, but adding driveways along NDH is likely to increase that rate. To the extent possible, new development should use existing access points. New and improved access points should meet DOT&PF intersection and driveway design standards. Auxiliary lanes, if warranted (Section 2.4), should be used.

### 3.7 Traffic Impact Mitigation

Full development at any of the three housing mix scenarios presented in Chapter 1 would eventually result in LOS levels at Egan Drive and 10<sup>th</sup> Street that fall below minimum LOS standards. However, this development will occur over time and the re-zoning action in and of itself does not generate traffic. The re-zoning action will not require traffic impact mitigation. This report identifies the likelihood of decreased LOS at the critical intersections analyzed in this study as development occurs along NDH.

## 4 CONCLUSIONS

The development of land along NDH has the potential to accommodate much of Juneau's population growth for the next 20 years. The traffic generated by this development will negatively impact the LOS at the Douglas roundabout and the intersection of Egan Drive and 10<sup>th</sup> Street. Eventually, improvements to these intersections may be warranted to allow this growth to occur. Mitigation of impacts to pedestrian and bicycle facilities and safety are not likely to be warranted.

The re-zoning action will not cause impacts to traffic, but does increase the opportunity and potential for growth in the study area. Mitigation of these future impacts is not required for the rezoning action. As the development occurs over time, the impacts are projected to increase to the point that improvements at the subject intersections will be necessary.

## Attachment F - Agency Comments



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

### **COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT**

**DEPARTMENT:** CBJ Streets Department

**STAFF PERSON/TITLE:** Ed Foster

**DATE:** 2/16/2021

**APPLICANT:** TDLH, LLC.

**TYPE OF APPLICATION:** Request to Rezone

**PROJECT DESCRIPTION:**

Request to rezone approximately 15 acres, at North Douglas Highway, from D15 (15 dwelling units per acre) to GC (50 dwelling units per acre) OR LC (30 dwelling units per acre). The 2013 Comprehensive Plan designates this area as Medium Density Residential.

**LEGAL DESCRIPTION:** Channel View Lot 1

**PARCEL NUMBER(S):** 6D0601150011

**PHYSICAL ADDRESS:** North Douglas Highway

**SPECIFIC QUESTIONS FROM PLANNER:**

1. Does CBJ Streets have any concerns regarding the rezone from D3 to D5?
2. Any additional information that the CBJ Street Dept. thinks will be useful in the decision-making process.

**AGENCY COMMENTS:**

CBJ Street Maintenance does not have any issues with this rezone request.

## Attachment F - Agency Comments

**AGENCY COMMENTS (CONTINUED):**

## Attachment F - Agency Comments



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

### **COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT**

**DEPARTMENT:** Alaska Department of Transportation  
**STAFF PERSON/TITLE:** Marie Heidemann  
**DATE:** 03/19/2021  
**APPLICANT:** TDLH, LLC.  
**TYPE OF APPLICATION:** Request to Rezone 17 acres from D15 to GC, LC, or GC/LC

#### **PROJECT DESCRIPTION:**

Request to rezone approximately 15 acres, North Douglas Highway, from D15 (15 dwelling units per acre) to GC (50 dwelling units per acre), or LC (20 dwelling units per acre). The development potential will increase from 134 lots, at D15 lot sizes, to 335 lots, at GC and LC lot sizes. This lot count does not account for the land required for the development of internal roads, setbacks and open space. Any future subdivision will require additional comments and review from Alaska DOT

**LEGAL DESCRIPTION:** Channel View Lot 1  
**PARCEL NUMBER(S):** 6D0601150011  
**PHYSICAL ADDRESS:** North Douglas Highway

#### **SPECIFIC QUESTIONS FROM PLANNER:**

1. Does DOT have any concerns about driveways and easements onto North Douglas Highway regarding the rezone from D15 to GC, LC or GC/LC at this time?
2. Any additional information that DOT thinks will be useful in the decision-making process.

#### **AGENCY COMMENTS:**

Environmental – No objections or comments

Design – No objections

Traffic & Safety - The denser 50 du/acre may trigger the requirement for a traffic impact analysis. These are required when a proposed development is expected to generate over 100 trips in a peak hour.

Planning – Planning concurs with traffic/safety that a TIA may be required and which may result in some necessary mitigating action. We have concerns about the ability of North Douglas Highway and the bridge to handle the additional traffic. As well, high density development without any sidewalks could prove problematic. That all said, the TIA is the appropriate process to move forward with analysis of impacts.



## Attachment F - Agency Comments

### **AGENCY COMMENTS (CONTINUED):**

ROW – No objection to the rezone request. We require submission of a driveway/approach road application for any changes in zoning designation or plans to create access onto state travel ways. As such, TDLH, LLC must submit an application for an approach road within ePermits for our review and adjudication.

ROW would most likely not approve an easement request. However the applicant may also consider applying for an Encroachment Permit or Right of Way Use Agreement to fill additional needs. An encroachment would be assessed economic rent and any use agreement would be thoroughly reviewed by our DOT&PF department review team. The application must comply with all federal, state, and local statutes or regulations. It is best to reach out to ROW during the approach road planning stage before applying for a permit. This way we may assist in steering the applicant away from impermissible designs. It would also be prudent to consult with DOT Traffic & Safety during this time.

Some useful links include:

ePermits: <http://www.dot.state.ak.us/stwddes/permits/index.shtml>

Design & Construction Standards: <http://dot.alaska.gov/stwddes/dcsrow/resources.shtml>

Alaska Highway Preconstruction Manual: <http://www.dot.state.ak.us/stwddes/dcsprecon/preconmanual.shtml>

DOT Traffic & Safety: <http://www.dot.state.ak.us/stwddes/dcstraffic/index.shtml>

# Attachment F - Agency Comments

**From:** [Bizzarro, Caleb T \(DOT\)](#)  
**To:** [Laurel Christian](#); [Joseph Meyers](#)  
**Cc:** [Heidemann, Marie E \(DOT\)](#)  
**Subject:** DOT&PF SCR Review Feedback for Douglas Hwy Rezone & Subdivision requests  
**Date:** Friday, April 16, 2021 4:13:17 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[Narrative.pdf](#)  
[DOT Request for Comment.pdf](#)

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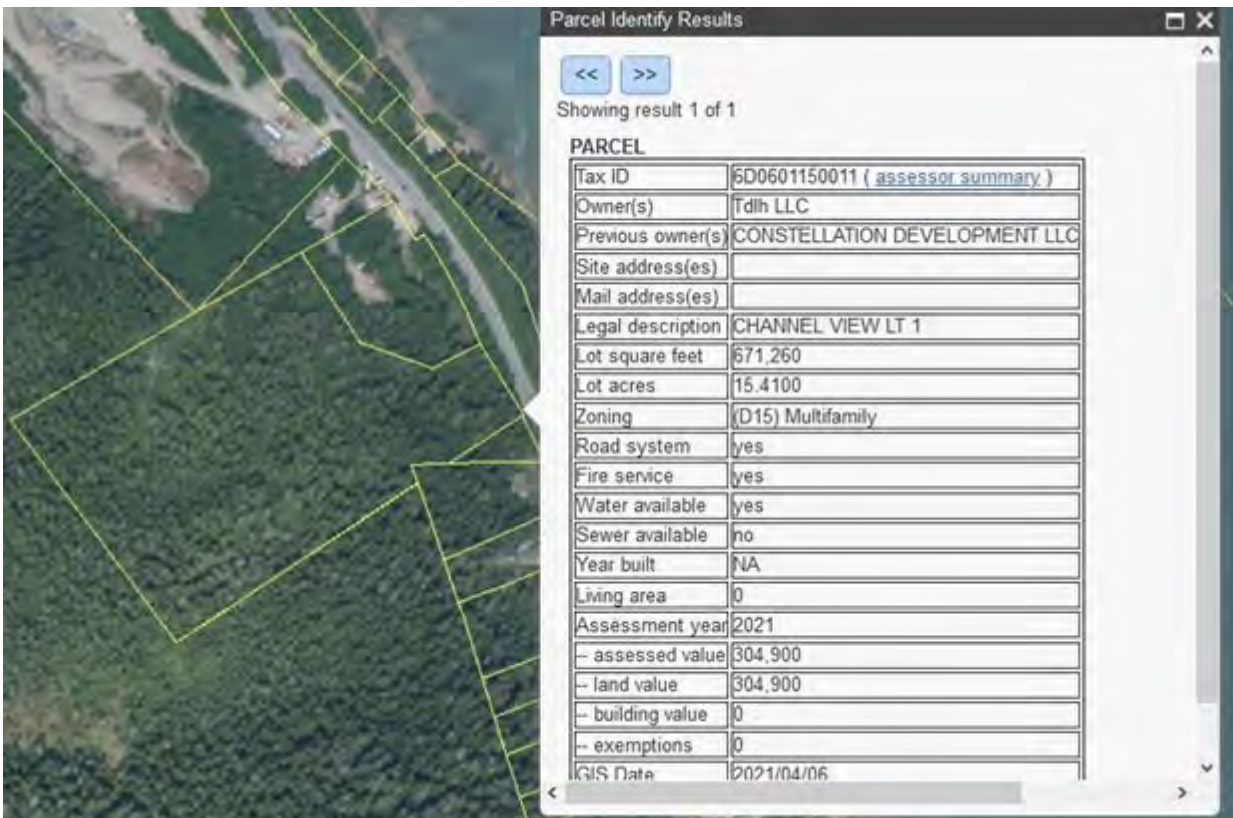
**EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS**

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Good afternoon Laurel and Joseph,

DOT&PF Southcoast Region has reviewed the request to rezone Channel View Lot 1, by TDLH, LLC as well as the request to subdivide Lot 1, Block C, Capital View Subdivision No. 1 by Brad Campbell. DOT&PF SCR would like to provide the following comments and feedback.

## **CBJ REZONE – Channel View Lot 1, North Douglas Highway**



**Environmental** – No objections or comments

**Design** – No objections

**Traffic & Safety** - The denser 50 du/acre may trigger the requirement for a traffic impact analysis. These are required when a proposed development is expected to generate over 100 trips in a peak

## Attachment F - Agency Comments

hour.

**Planning** - Planning concurs with traffic/safety that a TIA may be required and which may result in some necessary mitigating action. We have concerns about the ability of North Douglas Highway and the bridge to handle the additional traffic. As well, high density development without any sidewalks could prove problematic. That all said, the TIA is the appropriate process to move forward with analysis of impacts.

**ROW** – No objection to the rezone request. We require submission of a driveway/approach road application for any changes in zoning designation or plans to create access onto state travel ways. As such, TDLH, LLC must submit an application for an approach road within ePermits for our review and adjudication.

ROW would most likely not approve an easement request. However the applicant may also consider applying for an Encroachment Permit or Right of Way Use Agreement to fill additional needs. An encroachment would be assessed economic rent and any use agreement would be thoroughly reviewed by our DOT&PF department review team. The application must comply with all federal, state, and local statutes or regulations.

It is best to reach out to ROW during the approach road planning stage before applying for a permit. This way we may assist in steering the applicant away from impermissible designs. It would also be prudent to consult with DOT Traffic & Safety during this time.

Some useful links include:

ePermits: <http://www.dot.state.ak.us/stwddes/permits/index.shtml>

Design & Construction Standards: <http://dot.alaska.gov/stwddes/dcsrow/resources.shtml>

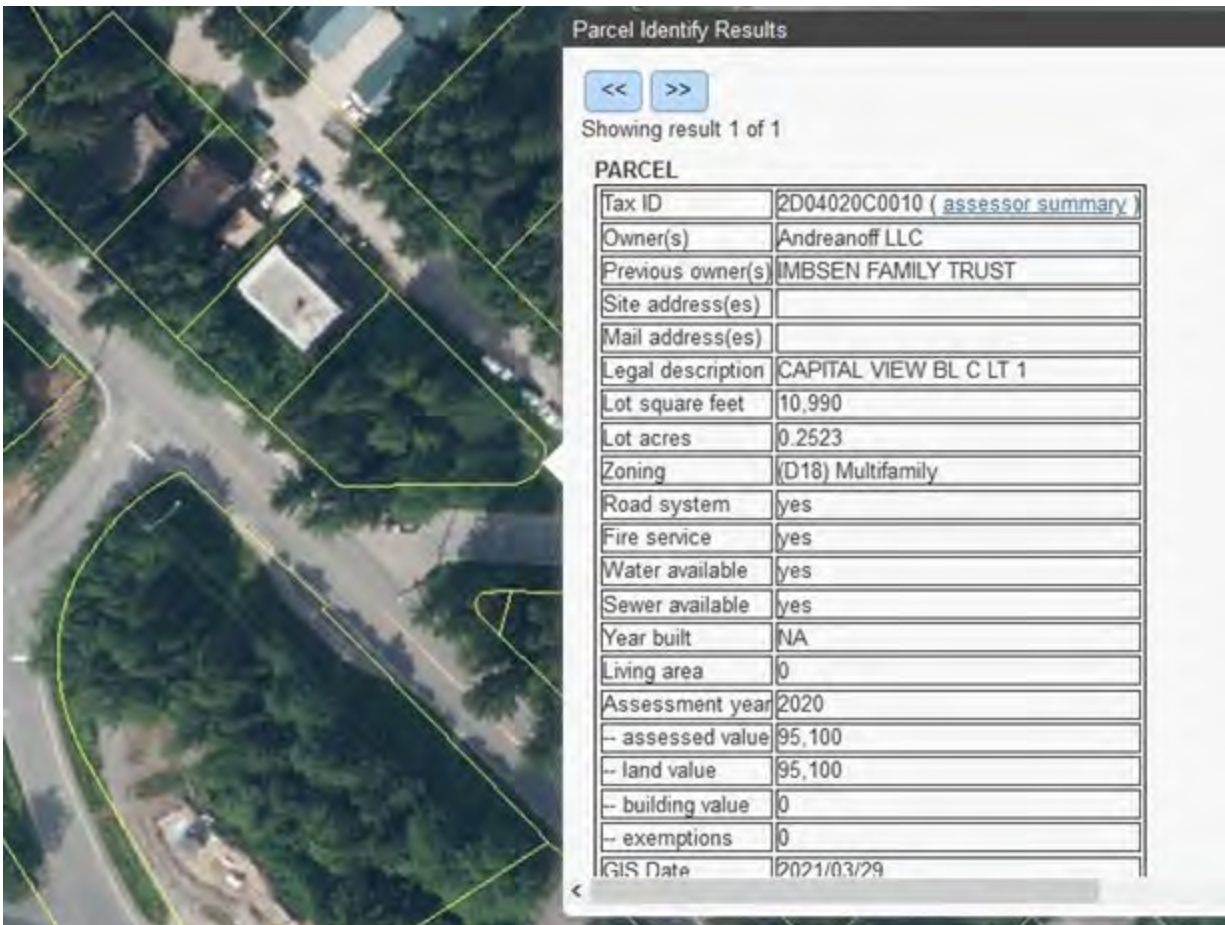
*Alaska Highway Preconstruction Manual:*

<http://www.dot.state.ak.us/stwddes/dcsprecon/preconmanual.shtml>

DOT Traffic & Safety: <http://www.dot.state.ak.us/stwddes/dcstraffic/index.shtml>

**CBJ SUBDIVISION – Lot 1, Block C, Capital View Subdivision No. 1, South Douglas Highway**

## Attachment F - Agency Comments



**Environmental** – No objections or comments

**Planning** – Planning supports driveway access from 2nd street. Therefore, no objections from planning.

**Design** – No comments or objections.

**ROW Property Management** - No objection to the proposed subdivision of Lot 1. Ensure access is from 2nd Street - as is currently planned.

**ROW Utilities** – Water and sewer utilities are accessed from 2nd street. Power and comm. are also acceptable from 2nd street. If this remains the plan for utilities, Utilities section has no objections.

Best Regards,

**Caleb Bizzarro**

Right Of Way Agent

Department of Transportation & Public Facilities

Southcoast Region Design & Engineering Services

Ph: (907) 465 4519

Email: [caleb.bizzarro@alaska.gov](mailto:caleb.bizzarro@alaska.gov)

## Attachment F - Agency Comments

**From:** [Autumn Sapp](#)  
**To:** [Joseph Meyers](#)  
**Subject:** RE: AME 2021-0001  
**Date:** Tuesday, February 16, 2021 2:00:50 PM

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Good afternoon,

There are no comments for rezoning from General Engineering. Let me know if there was something specific you were looking for comments on.

Thanks,

Autumn Sapp  
City and Borough of Juneau  
Engineering & Public Works  
Business Manager  
907-586-0917

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**From:** Joseph Meyers <Joseph.Meyers@juneau.org>  
**Sent:** Tuesday, February 16, 2021 1:15 PM  
**To:** Autumn Sapp <Autumn.Sapp@juneau.org>  
**Subject:** AME 2021-0001

Hello Autumn,

I have a rezone for D60601150011 and I am reaching out for comment. Please provide comment by March 2<sup>nd</sup> 2021.

[I:\DOCUMENTS\CASES\2021\AME\AME21-001 N Douglas Hwy\Agency Review\CBI Engineering\\_Request for Comment.pdf](I:\DOCUMENTS\CASES\2021\AME\AME21-001 N Douglas Hwy\Agency Review\CBI Engineering_Request for Comment.pdf)  
<I:\DOCUMENTS\CASES\2021\AME\AME21-001 N Douglas Hwy>

Thank you!

**Joseph Meyers | Planner I**

[Community Development Department](#) | City & Borough of Juneau, AK  
230 S. Franklin Street, 4<sup>th</sup> Floor Marine View Building  
Main Line: 907.586.0715  
Personal Line: 907.586.0466  
He/him/his

Attachment F - Agency Comments



## Attachment G - Public Comments

AME2021 0001 – Public Meeting

March 11, 2021, 6:00 P.M

Proposed rezone of 15.41 acres on North Douglas Highway

Presentation by Joseph Meyers

Presentation by Travis Arndt

6 public attendees

Q: Does CDD understand that the applicant has not specified a specific intention or reason to change the zoning designation to fit the application?

CDD Staff: As the applicant mentioned, he is aiming to expand possible uses to include non-residential boat storage.

Q: What is the feasibility of the bench road, and when could that possibly happen? If it is the one I'm thinking of, it has a very narrow access to the highway, and a high traffic area. I imagine it could be challenging to pull boats in and out. I'm thinking the bench road might be the better access, and if the bench road might be the primary intent.

CDD Staff: The bench road, at this point, is a Comprehensive Plan proposal, keeping options open with a few different alignments. There is some property at the top of Cordova that is transition zoned. That means it cannot be higher density until a bench road is constructed. The bench road would probably not come that far out North Douglas. It is not on the books, but there is recognition that the access would be helpful in the future. The Comprehensive Plan is long range and visionary.

*The applicant stated they are not doing this to be part of the bench road.*

Applicant: I am not into giving the city a free easement. If the city was asking about access, and it worked with the layout of the property, but not a big fan of building roads for others. Not much gain for the users of the lot, as it is very expensive. Not doing it for the bench road.

C: It is nice to see the lot locations on the big screen, to see how they are laid out. It would be helpful to have a photograph of the space available between houses where the access is along the highway.

Q: I assume that space has been confirmed adequate. What size vehicles would be anticipated at his development?

Applicant: We usually work with the Alaska Department of Transportation and Public Facilities when we have a proposal similar to this. Frontage would be next to Mike Hatch, with frontage of about 200 feet.

# Attachment G - Public Comments

**From:** [Margo Waring](#)  
**To:** [Joseph Meyers](#)  
**Subject:** ReZone North Douglas  
**Date:** Tuesday, March 16, 2021 5:47:24 PM

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

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Hello Mr. Meyers,

Thank you for sharing the recording of the neighborhood meeting with Travis Arndt who explained his interest in rezoning his D15 parcel to a more commercial designation. As I understand it, his current concept is to build boat storage, perhaps some with apartments above a boat garage. He feels this would be a good location because owners could go either to the Douglas Boat Launch or the North Douglas Boat Launch.

My main concern is that the property's road frontage is very limited, which means that any road from the property would enter the North Douglas Highway on a blind curve. Since the boats being trailered or hauled are likely of a substantial size (otherwise skiffs would be in people's driveways not in expensive storage), we could expect that the vehicle plus boat would be turning for more time than a car would and would, therefore, be a longer lasting danger to traffic, whether turning right or left. Many have been the near collisions I have seen on this stretch of the highway.

As an alternative, perhaps Mr. Arndt could arrange for a right of way through the adjoining property and exit at the gravel pit's road, a safer exit on the roadway.

I strongly encourage requiring an easement to access the Bench Road as a development requirement. For too long the CBJ has not looked far enough into the future, requiring access to the Bench Road. When it becomes clearer that the Bench Road is needed we will rue the day that shorter term decision making precludes sensible roadway development.

As long as there is no Bench Road, whatever designation is ultimately decided by the Planning Commission, I urge that mining and similar extraction and processing be prohibited, as increasing large truck traffic is inconsistent with the uses of the highway.

I would appreciate my letter being kept in this file as it moves on to the Planning Commission.

Sincerely,

Margo Waring  
11380 N. Douglas Hwy  
Juneau, AK 99801



# Attachment H - Additional Materials

## MINUTES

### REGULAR PLANNING COMMISSION MEETING

City and Borough of Juneau

**Mike Satre, Chairman**

August 26, 2014

#### I. ROLL CALL

Mike Satre, Chairman, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in the Assembly Chambers of the Municipal Building, to order at 7:00 pm.

**Commissioners present:** Mike Satre, Chairman; Dennis Watson, Vice Chairman; Bill Peters, Ben Haight, Gordon Jackson, Paul Voelckers

**Commissioners absent:** Dan Miller, Karen Lawfer, Nicole Grewe

**Staff present:** Hal Hart, Planning Director; Travis Goddard, Planning Manager; Chrissy McNally, Planner I; Jonathan Lange, Planner II; Beth McKibben, Senior Planner; Robert Palmer, Municipal Attorney II

#### II. APPROVAL OF MINUTES

- July 22, 2014 – Special Planning Commission Meeting
- July 22, 2014 – Regular Planning Commission Meeting

**MOTION:** *by Mr. Watson, to approve the minutes of the Special Planning Commission Meeting of July 22, 2014, with the correction that the Special Meeting did not adjourn at 6:06 p.m. but reconvened in executive session, from which it adjourned at about 7:15 p.m., and approved the Regular Planning Commission Meeting of July 22, 2014, with any minor modifications by any Commission members or by staff.*

The motion by Mr. Watson was approved with no objection.

#### III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Wilma Avenue resident Russ McDougall addressed the Commission stating that he is a 40 year resident of Juneau. He told the Commission he felt that work on modifying the accessory apartment rule was coming along slowly, and he wanted to encourage the Commission to take action on this rule. They would like to increase the accessory apartment rule from 600 square

## Attachment H - Additional Materials

feet up to 800 to 1000 square feet, explained Mr. McDougall. Mr. McDougall said that he has a job pending because of this rule.

Mr. Watson asked when they began working on this issue.

Mr. McDougall responded they began working on this in 2007.

Mr. McDougall stated that it has been kicked around as an issue long enough and that it is now time to move forward to resolve these problems.

Mr. Voelckers asked where the current holdup is with this project.

Mr. McDougall said he believes that it is coming up before the Commission within the next month or two for a final recommendation.

#### **IV. PLANNING COMMISSION LIAISON REPORT**

Mr. Nankervis reported that the Assembly met last night and did see the Landscape Alaska appeal. That decision has not been made public yet, said Mr. Nankervis.

#### **V. RECONSIDERATION OF THE FOLLOWING ITEMS - None**

#### **VI. CONSENT AGENDA - None**

#### **VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS - None**

#### **VIII. UNFINISHED BUSINESS - None**

#### **IX. REGULAR AGENDA**

AME2013 0016: Rezone of approximately 245 acres of RR(T)D3 to D3 and RR(T)D15 to D15 and approximately 40 acres of D1(T)D3 to D3 along North Douglas Highway.  
Applicant: City and Borough of Juneau  
Location: North Douglas Highway

#### **Staff Recommendation**

1. Approve the zone transition from RR to D-15.
2. Approve the zone transition from D1 to D-3 for those lots designated RDR on the Land Use maps of the Comprehensive Plan.

Additionally, staff recommends consideration of the following:

1. An up zone to D5 for lots designated as ULDR on the Land Use maps of the Comprehensive Plan.
2. An up zone to D-15 for lots designated as MDR on the Land Use maps of the Comprehensive Plan.

## Attachment H - Additional Materials

Ms. McNally reported that this transition rezone was initiated by the CDD staff. This land is located from mile 1.3 to 1.9 on North Douglas Highway, she said. This area received public sewer in the summer of 2013, said Ms. McNally, so the staff felt that it was time to initiate the rezone. Approximately 200 acres of the CBJ owned land designated for transition from Rural Residential to D3 is shown primarily as Urban Low Density Residential, said Ms. McNally. She added that in addition there is a 400 foot wide buffer along Eagle Creek which is designated for a stream protection corridor. There are 43 parcels in the transition area with the majority of the parcels zoned D1 with the transition to D3, explained Ms. McNally.

Mr. Watson asked how the 200 acre area of the CBJ parcel would be accessed by the highway.

Ms. McNally responded that at this juncture there is currently no access to the highway from those lots in question.

**MOTION:** *by Mr. Watson, that AME2013 0016 be approved based upon staff's findings and recommendations, and asked for unanimous consent by the Commission.*

The motion was approved by unanimous consent.

|               |   |
|---------------|---|
| AME2014 0009: | An Application to Rezone Lot 3 of Black Bear Subdivision at the south end of Silver Street from D-1 to D-3. |
| Applicant:    | Juneau Youth Services, Inc.   |
| Location:     | Silver Street   |

### **Staff Recommendation**

Based upon the proposed project (identified as Attachments A and B), and the findings and conclusions stated above, the Community Development Director recommends the Planning Commission **RECOMMEND APPROVAL** to the Assembly for the rezone proposal.

This lot is located at the south end of Silver Street which is located in the west Mendenhall Valley, explained Mr. Lange. This is west of the Mendenhall River, north east of Auke Lake in the Back Loop Road area, and south of the Montana Creek area, explained Mr. Lange.

Juneau Youth Services is the applicant of this large parcel of land consisting of 159 acres, said Mr. Lange. In 2013 they recently divided that large parcel into three smaller parcels, said Mr. Lange. Juneau Youth Services is located on the Back Loop Road, and they have requested to rezone a ten acre parcel, with a 127 acre conservation lot which they have given to Alaska Seal Trust, which has subsequently been deeded to the CBJ as a conservation lot, explained Mr. Lange.

Juneau Youth Services is asking to rezone the ten acre parcel from D1 to D3, said Mr. Lange, which would be the same zoning as the adjacent McGinnis subdivision. The D3 zone request would be an expansion of an existing zone north of the subject parcel, said Mr. Lange. The

## Attachment H - Additional Materials

rezone request does conform to the maps of the Comprehensive Land Use Plan, said Mr. Lange, characterized by densities of one to six units per acre, he said.

The proposed rezone did go before the Wetlands Review Board in July, said Mr. Lange. The Wetlands Review Board gave a recommendation that if a rezone were recommended for a density greater than D3, then an additional wetland evaluation should be performed.

Mr. Watson asked staff to clarified that the existing lots located north of the subject parcel were currently zoned D3 .

Mr. Lange confirmed that this was correct.

Board President for Juneau Youth Services Peter Freer said while they do not have any agency or institutional uses planned for the property at this time, they will have future plans for the property at a zoning density consistent with the surrounding neighborhood.

Mr. Watson asked if there was a walking path through the larger parcel of land.

Mr. Freer said that there was an unofficial walking path, but not on the 10 acre parcel of land.

### PUBLIC COMMENT

Mark Millay, a resident of Wren Drive, said that he wanted to make it clear that the land was not platted according to Title 49. He said he objects to the zoning change until the subdivision itself is in compliance. He said in his view essentially what is happening is that the zoning change is being requested in which D1 zoning cannot even be supported, let alone support for D3 zoning. He said when the survey was completed, the Title 49 section dictating compliance was omitted. He said he felt this plat should never have been signed until the amenities and utilities were brought forth. He said the argument for the North Douglas rezone request was that utilities were present in the area. There are a lot of issues which need to be nailed down before development can proceed, such as expanded size for accessory apartments creating expanded size of the sewer, said Mr. Millay.

Lorraine Hansen, who lives in the end of Wren Drive, said she is concerned about this application because there is no information provided for the adjacent neighborhood property owners. She said they cannot properly assess the impact to their properties when they have no knowledge as to why the rezoning is occurring. She said that she would appreciate a proposal from the applicant actually stipulating what they plan to do with the property.

Chairman Satre responded that the Planning Commission is in the same position regarding re-zones. He said they have to consider all possibilities in that zoning district because the owner can always sell it the next day.

## Attachment H - Additional Materials

Wren Drive resident Christie Elliott said she is also frustrated with what she sees as a double standard in the zoning process for this zoning parcel. She also expressed confusion about the wetlands issues.

Mr. McDougal wanted to make the current property owner and future property owners aware of the forthcoming tax abatement coming before the Legislature this year which would defer property tax owed on property until it was sold. In addition, Mr. McDougal said that he is in favor of the zone change, but that it does need to meet the standards, and if necessary it should be delayed until it can meet those standards.

Mr. Nate Houston said they bought their house a little over a year ago with the assumption that the land behind their property would be undisturbed. He expressed concern that such a large majority of the ten acres which were wetlands are no longer wetlands and are now uplands. Mr. Houston said that he feels the rezone to D3 does not match the rest of the neighborhood. Mr. Houston stated that his biggest concern is the view shed. They have a lot of standing water in their yards and no sidewalks, and this did not seem like D3 zoning to him, he said.

### APPLICANT

Mr. Freer said that he had no notion that anything was wrong with the plat. He said it was taken through the normal CBJ process, and it was approved and signed, and he was caught quite unaware tonight that there was some fatal flaw or something defective in their plat. Should the Commission want to delay their decision while the plat is reviewed again for accuracy before completeness, Mr. Freer said he thought that would certainly be suitable.

Regarding the wetlands issue, said Mr. Freer, the ten acre parcel is largely uplands on the basis of two wetlands reports that were done by Bosworth Botanical Consulting in connection with appraisals for the property that led to the subdivision of the property and the setting aside of the majority of that property for conservation purposes. He said they do not have a development proposal at this time.

Chairman Satre said the wetlands determinations were specifically labeled as non-jurisdictional studies. If there were a specific proposal for the land, said Chairman Satre, at that point the Army Corps of Engineers would become involved.

Mr. Voelckers asked if the plat was legally recorded.

He was told that the plat was legally recorded.

Mr. Voelckers asked for a follow-up of the legal status of the plat.

Mr. Lange answered that it is a legally recorded plat with legally recorded lots.

Chairman Satre asked if the other questions raised by Mr. Millay could be addressed regarding access, the frontage required, and the other requirements for subdivisions.

## Attachment H - Additional Materials

Mr. Goddard responded that the frontage and utilities for this lot are in the right-of-way fronting the property. However, said Mr. Goddard, they are not extended to the property line nor is the road itself. Mr. Goddard said he does not know why they were not required to build a full width road from Wren to the edge of the subdivision. He said that is a good question, to which he does not have the answer at this time. Theoretically, said Mr. Goddard, the time to appeal that subdivision would have been at the time of that decision.

Chairman Satre said assuming the rezone passes by the Assembly, what would the applicant have to do, to develop the right-of-way.

Mr. Goddard responded that they would have to improve the driveway to the standards up to an existing maintained City right-of-way. The newly created lots would have to have frontage in accordance with the standard of the zoning district under which they are subdivided.

Mr. Watson said he was not comfortable this evening until he had some more answers. Mr. Watson said he needed some more clarification for several reasons: he felt they were entitled to this as a Commission, and all of their decisions were appealable, and if they could prevent neighbors and the applicant having to become embroiled in a very lengthy appeal process, then he felt a continuance may prevent this.

Mr. Haight said that he agreed with Mr. Watson. He said since this would be moving forward to the Assembly, then the Commission should provide as much information as possible.

Mr. Goddard asked for clarification of the two specific questions to which the Commission would like answers.

Chairman Satre agreed. He said they needed to provide the staff with as clear direction as possible.

Mr. Watson said he would like clarification on Title 49. He said he would like clarification on the access with regards to whether or not there are to be sidewalks on both sides of the street and all of the street requirements because that would be affecting the neighbors' property.

**MOTION:** *by Mr. Watson, to continue this at the next available Planning Commission meeting, asking for staff to provide additional information, and asking for unanimous consent.*

The motion passed by unanimous consent.

X. **BOARD OF ADJUSTMENT** – None

XI. **OTHER BUSINESS** - None

XII. **DIRECTOR'S REPORT**

## Attachment H - Additional Materials

### *Accessory Apartments*

Ms. McKibben asked the Commission if they want to launch off with the new draft regarding accessory apartments or if they would prefer that it go to the Title 49 Committee first.

Mr. Watson asked when they would be seeing the draft of the accessory apartment language.

Mr. Goddard responded they have the draft as it was left by Ben Lyman.

Chairman Satre said he was uncomfortable discussing transitional housing in tandem with the hearing coming up.

Ms. McKibben said they were not thinking of discussing the issues in tandem.

Mr. Goddard said the Subdivision Review Committee has enough to do with perhaps the accessory apartments since it is essentially complete. It may be slid in late September or October with Title 49.

Mr. Watson repeated that he would still like to know when the accessory apartment issue would be brought before the Commission.

Ms. McKibben said at this point it would be at some time in October because of the current schedule of Planning Commission meetings.

### *Transitional Housing*

In light of the Use Not Listed decision, said Mr. Palmer, one of the concerns that came out of that discussion was a recommendation by the Board of Adjustment to recommend to the Assembly a transitional housing element in a D5 zone. With that recommendation, said Mr. Palmer, the City believes that process should be started sooner rather than later. They want to ask the Commission how they would like to proceed with this; did they want this to go through the Title 49 Committee or through the Commission as a whole.

Chairman Satre said he thought it would be nice to start with the Committee structure and work up rather than start with the Commission and work down.

Mr. Haight said he agreed with Chairman Satre. He said at this point they needed to define what needed to go to the Committee.

Mr. Watson said he would like to know who was on Title 49 Committee, and that he would appreciate it if the website could be updated indicating the membership of that committee.

Chairman Satre asked Ms. McKibben if she could send the rough document of the work plan to the Commission members for their review.

## Attachment H - Additional Materials

The Commission agreed that accessory apartment language could come directly to the Commission for review could come directly to the Commission for review rather than committee.

### *Street Vacation*

Mr. Palmer stated that the Street Vacation Code needs to be amended to comply with state law, and to include some provisions that a street vacation decision by the Commission is the recommendation that goes to the Assembly, because that is a legislative decision. Mr. Palmer said his question for the Commission tonight is does the Commission want this to start at a committee level or with the Commission.

Chairman Satre asked if Mr. Palmer had language on this issue for ready to be launched.

Mr. Palmer responded in the affirmative.

Mr. Haight said this was their next topic for the Subdivision Review Committee.

### *Director*

The Wireless Communication Facilities Ordinance is before the Assembly and should be decided this fall, said Mr. Hart.

The Auke Bay Steering Committee is working on the Auke Bay Sub Area Plan Saturday, September 6, said Mr. Hart. The topic for that date is in-fill. That plan should be before the Commission in October, said Mr. Hart.

The staff is continuing to work with FEMA (Federal Emergency Management Agency), said Mr. Hart, to continue to see how FEMA will assist this community, especially in the area of velocity flood zones and other flood areas around Juneau.

The companion piece to the Auke Bay Area Plan will be delivered about three months after the first piece, said Mr. Hart. The Comprehensive Plan comes first, with the actual rules following, said Mr. Hart.

Mr. Hart asked the Commission where it would next like to direct its attention for neighborhood planning.

The Economic Development Plan will also be presented to the Commission, said Mr. Hart. Those policies and objectives are the forerunner of the next Comprehensive Plan, said Mr. Hart.

Mr. Watson said when the Economic Development contractors presented their plan to the Assembly, that he was disappointed in what they presented. Mr. Watson said it was his impression that the contractors were asking more of what the Assembly, wanted rather than imparting information to the Assembly.



## Attachment H - Additional Materials

Mr. Hart said it was his understanding that a more focused Comprehensive Plan was desired for this year, with less content and more focus. His feedback from last year was that the document was too big, too unwieldy, and that there was too much content to weed through.

Mr. Hart said that during the next 12 to 15 months that the Commission will be seeing action on almost every chapter of the Comprehensive Plan.

Mr. Voelckers said that he recalled that a joint meeting was scheduled with the Assembly at some point in the near future.

Mr. Hart stated he believed that was at some date in September.

Mr. Voelckers said that he recalled that the Commission was going to schedule time at another meeting to discuss the Economic Development Council presentation.

Chairman Satre said he felt it would be very appropriate to schedule some time during the next meeting during Commission comments and questions to discuss the Economic Development Council presentation and Commission feedback.

- Joann Lott, Steering Committee Applicant

The Commission approved Joann Lott as a new member for the Auke Bay Steering Committee.

### **XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES**

#### *Subdivision Review Committee*

Mr. Haight reported that the Subdivision Review Committee met this evening. There will be another meeting this Thursday night (August 28, 2014), with probably another meeting or so before they have completed their necessary business. They are working on lot consolidation, reaching into the public way. Easement vacation is next, said Mr. Haight. They also reviewed a document submitted by the Engineering Department which addressed financial responsibility.

#### *Commission on Sustainability*

Last week, said Mr. Haight, he was with the Commission on Sustainability. Their guest was the City Manager. She spoke about the importance of celebrating some of the Borough's successes in energy conservation management.

#### *Public Works*

The Public Works Committee met two weeks ago, said Mr. Watson. It discussed street vacations, said Mr. Watson. That will be coming towards the next Planning Commission meeting, said Mr. Watson.

## Attachment H - Additional Materials

### **XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS**

Mr. Watson said he would still like to address the issue of why rezone requests can only be brought up only in January and July.

### **XV. ADJOURNMENT**

The meeting was adjourned at 8:59 PM

# Attachment H - Additional Materials



## PLANNING COMMISSION NOTICE OF RECOMMENDATION

Date: November 25, 2014

File No.: AME2013 0016

City & Borough of Juneau  
City & Borough Assembly  
155 South Seward Street  
Juneau, AK 99801

Application For: A rezone request to up-zone 2 parcels from RR(T)D-3 to D-15 along North Douglas Highway.

Legal Description: Channel View Lot 1  
Triangle Lot 3

Property Address: North Douglas Highway

Parcel Code No.: 6D0601150011  
6D0701000020

Hearing Date: November 25, 2014

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated August 18, 2014, and recommended that the City and Borough Assembly adopt staff's recommendation for a zone change request. This regulatory map change would modify the current RR(T)D-3 district in the designated area to D-15, allowing 15 dwelling units per acre.

This rezone is part of a larger transition zone which includes 43 parcels. The remaining 41 parcels will be zoned according to the transition zoning as mapped on the CBJ Zoning Atlas, that is RR(T)D3, RR(T)D15, and D-1(T)D-3.

Attachments: August 18, 2014 memorandum from Chrissy McNally, Community Development, to the CBJ Planning Commission regarding AME2013 0016.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ §01.50.020 (b).

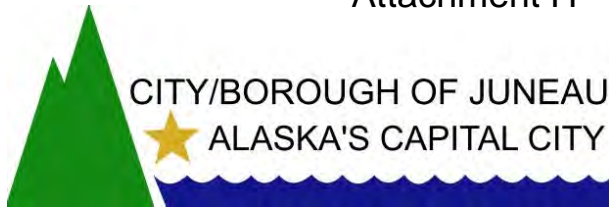
Attachment H - Additional Materials

City & Borough of Juneau  
File No.: AME2013 0016  
December 1, 2014  
Page 2 of 2

Project Planner: Chris McNally Demetrius J. [Signature]  
Chrissy McNally, Planner Michael Satre, Chair  
Community Development Department Planning Commission

Jamie J. [Signature] 12/2/14  
Filed With City Clerk Date

**NOTE:** The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended map change. ADA regulations have access requirements above and beyond CBJ - adopted regulations. 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.



# MEMORANDUM

Community Development Department

**Date:** November 13, 2014

**To:** Planning Commission

**From:** Travis Goddard, Planning Manager   
Community Development Department

**File No:** AME2013 0016

**Re:** Supplemental Public Input and Analysis

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This memorandum provides points of clarification as requested for the above noted project.

The rezone request was initiated by CBJ Community Development Staff after a discussion with a property owner within the transition zoning area. This property owner was contemplating a cottage development but needed a higher density zoning. It was determined at that time that the transition trigger, the provision of utilities in this case, had been satisfied and that the transition was warranted.

While processing AME20130016 with the existing transition zones, the CBJ Lands and Resources Division noted that the transition zoning was not the highest density zoning that could be obtained under the 2013 *Comprehensive Plan* and suggested that the land be rezoned to a higher density. Up-zoning was recommended to the Planning Commission.

AME2013 0016 received a recommendation for approval from the Planning Commission at the regular August 26, 2014 hearing and the Notice of Recommendation was filed with the City Clerk on September 4, 2014. The Assembly reviewed the case at the October 20, 2014 hearing. Neighbors speaking at the hearing raised questions about the case and whether notice had adequately been given. After discussion of the issues, the Assembly remanded the case to the Planning Commission. The Assembly asked that staff ensure proper notice is given for the case and that analysis be performed to determine whether zoning for even higher densities could be assigned to the area.

## Attachment H - Additional Materials

### Concerns over Public Notice Compliance

Public notice consistent with CBJ chapter 49.15.230 was provided on three occasions. In addition, prior to the Assembly hearing, property owners within the area affected by AME2013 0016 were invited to a neighborhood meeting to explain the effects of the rezone. Public notice was also performed for the October 20, 2014 Assembly meeting. Staff finds that the application has met public notice standards.

### Staff Report Density Highlights

In the original staff report CDD Planner, Chrissy McNally, reviewed the *Plan* for density direction and noted her findings in the attached staff report. Specifically she found:

- Medium Density Residential (MDR) prescribes “densities ranging from 5 to 20 units per acre”;
- Urban/Low Density Residential (ULDR) prescribes “densities of one to six units per acre”; and,
- Rural Dispersed Residential (RDR) prescribes densities “intended to permit one dwelling unit per acre or larger lot sizes...”

In the staff report, analysis identified that the appropriate zoning under each *Comprehensive Plan* designation was:

- MDR – D-3, D-5, D-10, D-10SF, D-15, and D-18 are all consistent with the MDR designation.
  - D-3, D-5 and D-10SF are single-family residential zoning districts.
  - D-10 and D-15 are intended to be relatively low-density multi-family residential districts.
  - D-18 is intended for high density multi-family development accommodated through midrise-type development.
- ULDR – D-5 at five units per acre (D-10 being too high and D-3 not being appropriate within urban service boundaries); and
- RDR – D-1 and outside of urban service boundaries.

### Reconciling Inconsistencies between the Comprehensive Plan & Zoning

Staff review identified conflicts/inconsistencies between the *Comprehensive Plan* and zoning, which warranted changes to the requested transition zones.

ULDR - For those parcels in ULDR, the proposed transition zone of D-3 was no longer appropriate because D-3 zoning is for land outside urban service boundaries. The very fact that the “transition” wasn’t triggered till urban services became available created a catch-22 for staff.

When Lands (who own 200 of the 285 acres) suggested higher densities were warranted, CDD staff agreed and recommended the highest density single-family residential zoning possible within the six-unit per acre density outlined in the *Plan*. Staff reviewed the zoning code and

## Attachment H - Additional Materials

found D-5 to be both within the *Plan* density range goal, but also to be a zoning district to be served by urban services. Therefore, staff recommended D-5 up-zoning.

RDR – The *Plan* intends RDR designations to be very low density development that is not provided with municipal water or sewer. So right from the start, the *Plan* designation does not fit with the underlying zoning that existed when the *Plan* was adopted. Now, faced with the desire to accommodate, and if possible facilitate, residential development, staff was faced with reviewing a transition rezone request that is on its face inconsistent with the *Plan*.

Staff concluded that the RDR designation could not be fulfilled because the area was already serviced by municipal services and the existing zoning envisioned densities higher than the *Plan*. Lacking further guidance, staff concluded implementation of the underlying transition zone of D-3 was appropriate given that it existed prior to adoption of the *Plan* and that the *Plan* adoption process made no effort to correct the discrepancy.

For this reason, staff recommended D-3 zoning for the RDR properties. D-5 up-zoning was not recommended because it would not be consistent with either the RDR *Plan* Designation or the underlying transition zoning district.

MDR – The *Plan* intends land designated as MDR to be urban residential development for multi-family dwelling units. Densities between 5 and 20 units per acre are desired.

As noted above, transition from RR to D-3, D-5, and D-10SF would not be consistent because they are not consistent with the desire for higher density multi-family development. This means that D-10, D-15, and D-18 were zoning designation candidates that could be consistent with the *Plan*.

Staff analyzed the existing conditions and neighboring zoning and found the “transition” D-15 zoning be consistent with both the *Plan* and the neighboring D-15 property zoning.

However, it must be noted that D-18 would also be consistent with the *Plan*. Staff did not recommend the up-zoning to D-18 for two reasons: first, D-18 intends to have midrise-type developments which aren’t currently in the neighborhood, and second, because it isn’t consistent with the D-15 transition designation that the property already has.

### **Higher Density Considerations**

During the Assembly meeting, several Assembly-members inquired as to whether higher densities could be assigned to the properties.

As discussed above, only one property has the opportunity to be up-zoned further and still be consistent with the *Plan*. This is the 11 acres of land transitioning from RR to D-15. The property could be up-zoned from D-15 to D-18 (adding a potential capacity for 33 more units).

## Attachment H - Additional Materials

Higher densities could not be achieved within the *Plan* designations for these properties. However, it should be noted that by code, higher densities can be achieved in other zones: MU (no maximum density); MU2 (80 units per acre); LC (30 units per acre); and GC (50 units per acre).

The property between N. Douglas Highway and the property being rezoned D-15 (the Jeep dealership) is zoned LC.

### **Public Comments and Requests**

Staff held a neighborhood meeting for AME2013 0016 on June 24, 2014 but no members of the public attended. Public phone calls and comments were received after the Notice of Recommendation was issued but prior to the Assembly hearing. Comments were again raised before Assembly and the Assembly felt they warranted additional review so the case was remanded to the Commission. Comments received after the remand order and in response to the additional public notice are:

Mr. Fred Yates, neighbor at 5470 N. Douglas Highway, indicated he would like to be included in the rezone.

*Staff Response: Unfortunately, Mr. Yates' property was not transition zoned so the property was not included within the rezone proposal when it previously reviewed by the Planning Commission. Staff could not consider accommodating Mr. Yates request because the property had not been properly noticed for rezoning. Mr. Yates would need to apply for a rezone through the normal rezone application process.*

Mr. Kody & Sofia Stitz, property owners within the rezone at 5065 N. Douglas Highway, attended the Assembly Hearing to raise objections, met with staff, and submitted written comments. Mr. Stitz's written comments are attached.

*Staff Response: When meeting with Travis Goddard, CDD Planning Manager, Mr. Stitz raised concerns about the rezone because of advice he was previously given by staff, which indicated that he would be required to apply for a Conditional Use Permit to keep livestock should his property be up-zoned. He indicated that when he purchased the property, his intent was to have rabbits and goats for his children; he felt that the rezone to D-5 would harm his chances for keeping livestock. He also expressed that the City had no right to up-zone his property without his express support.*

*During that conversation, staff indicated that the rezone was intended to serve as an "opportunity creator" and to implement the desired transition to higher zoning as envisioned in the 1980's. It was not intended to limit his property rights or prevent him from keeping livestock. Staff also indicated that he was well within his rights to ask to be removed from the up-zone.*



## Attachment H - Additional Materials

*Staff indicated they would recommend support of his removal from the up-zone given his concerns about the effect on his property, but warned him that should he wish to rezone the property in the future, he would have to incur those rezone costs himself. Mr. Stitz understood and agreed to this because he stated he had no intention to rezone the property.*

Mr. Stitz's written comments expand on the concerns he has for his property. His comments reflect opposition to the up-zoning of not only his property but all the up-zoned parcels in the neighborhood. His attached comments include three points:

1. The property will not be able to be used for its intended purpose;
2. The proposed rezone is inconsistent with the long-standing transitional zoning of the neighborhood; and
3. The rezone is not consistent with neighborhood preservation measures and other parts of the *Comprehensive Plan*.

*Staff Response –*

*1. Staff assumes Mr. Stitz's primary concern is about the density of neighboring development affecting the enjoyment of his property, not his actual ability to live on his property.*

*Staff sympathizes with this concern but staff's responsibility is to take guidance from the Comprehensive Plan which is in turn implemented by the zoning code. As discussed above, all the rezoned zoning designations approved by the Planning Commission are consistent with the Comprehensive Plan or with the transition zoning designation.*

*2. Regardless of the zoning, each property owner has the ability to choose not to develop their property. The rezone of the property creates the opportunity for owners to increase the value of their land by adding additional dwellings or subdividing the property. Each property owner was given four separate mailings informing them that the zoning of their property would be changed. This provided them with ample opportunity to contact CDD and request to be excluded from the rezone or up-zone. Mr. Stitz is the only owner who has contacted CDD and requested to be excluded from the up-zone (but not the transition rezone).*

*It also needs to be noted that while the property has had a long history of having transitional zoning, the provision of public services were only recently provided. Therefore, the unfulfilled transition shouldn't be seen as a matter of neighborhood choice or tradition; it was a function of the fiscal realities associated with capital budgeting. Now that the transition trigger has been met, Staff had no choice but to view the up-zoning of the property as consistent with the Comprehensive Plan.*

*3. Mr. Stitz points out that there are inconsistencies between the zoning and the Plan. There also seem to be inconsistencies within the Plan itself. In the past, staff and the Planning Commission have tried to balance the competing interests and desires outlined within the Plan. To this end, staff regularly has to weigh different parts of the Plan and*

## Attachment H - Additional Materials

*apply their best professional judgment to assign them priority depending upon how they apply to a given case.*

*Mr. Stitz expressed that “the adopted Plan in its entirety must be adhered too and used as a basis for decisions.” This is only true to a point because it assumes that consistency is black and white. For example, this logic assumes that a D-3 residential development can meet every goal for residential development, as well as all the goals for commercial development, industrial development, natural resource preservation, historic preservation, etc. For this reason, consistency with the “entire plan” is a review standard that would be nearly impossible to meet for any project. Staff instead reviews for general consistency and ensures that projects are generally fulfilling the goals of the community as set forth in the Plan.*

*The stated goals for housing support the approval of increased densities wherever possible, as consistent with the Plan. This logic is what led to the staff recommendation as outlined in the staff report. Staff still finds this logic to be sound.*

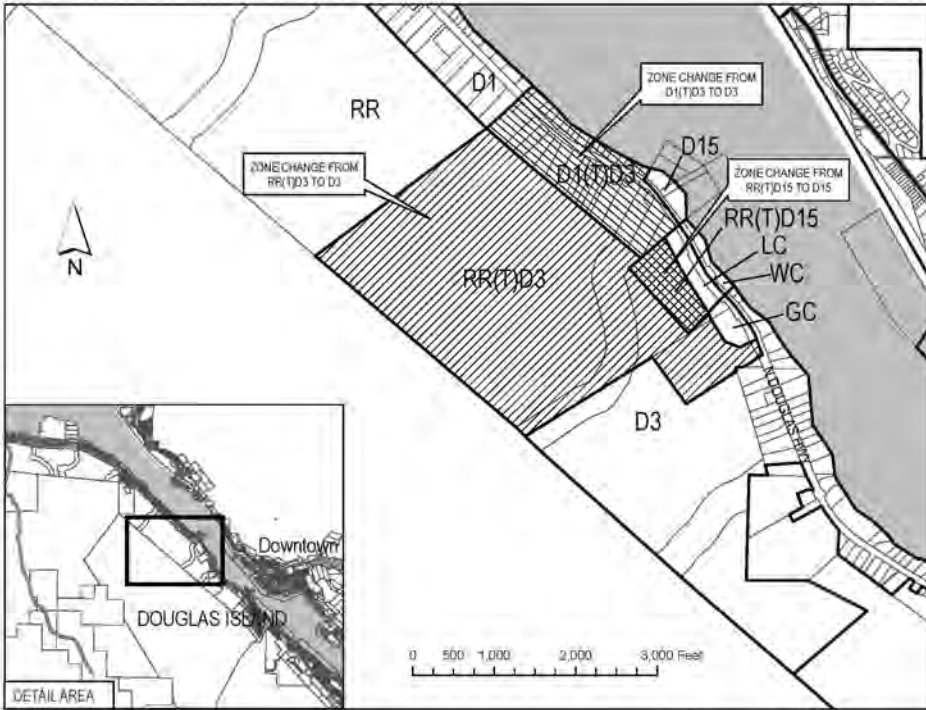
After meeting with Mr. Stitz, staff understands his concerns. Staff indicated to Mr. Stitz they would recommend that his property be excluded from the up-zone and simply be rezoned to the transition zone of D-3. Staff made this conditional upon his understanding that such an action would mean that any future rezone request for the property would be done at the owner’s expense.

### **Recommendation**

Staff recommends that the Planning Commission reaffirm its recommendation of approval of AME2013 0016 with the exception of Parcel 6D0701010040, which should be rezoned to D-3 as requested by the property owner.



# NOTICE OF PUBLIC HEARING



**City & Borough of Juneau**  
 Community Development Department  
 155 S Seward Street • Juneau, Alaska 99801

**SHIP TO:**



**PROPOSAL:** Residential rezone of 43 parcels along North Douglas Highway.

The Planning Commission has the discretion to consider and recommend alternative rezoning designations other than that being proposed by the applicant or recommended by staff.

|                      |                                 |                      |   |
|----------------------|---------------------------------|----------------------|---|
| <b>File No:</b>      | <b>AME2013 0016</b>             | <b>Applicant:</b>    | <b>City and Borough of Juneau</b>           |
| <b>To:</b>           | <b>Adjacent Property Owners</b> | <b>Property PCN:</b> | <b>Multiple</b>                             |
| <b>Hearing Date:</b> | <b>November 25, 2014</b>        | <b>Owner:</b>        | <b>Multiple</b>                             |
| <b>Hearing Time:</b> | <b>7:00 PM</b>                  | <b>Size:</b>         | <b>285 Acres</b>                            |
| <b>Place:</b>        | <b>Assembly Chambers</b>        | <b>Zoned:</b>        | <b>RR(T)D3 and RR(T)D15</b>                 |
|                      | <b>Municipal Building</b>       | <b>Site Address:</b> | <b>1.3 — 1.9 Mile of N. Douglas Highway</b> |
|                      | <b>155 South Seward Street</b>  | <b>Accessed Via:</b> | <b>N. Douglas Highway</b>                   |
|                      | <b>Juneau, Alaska 99801</b>     |                      |   |

**PROPERTY OWNERS PLEASE NOTE:**

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department 14 days prior to the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a week before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

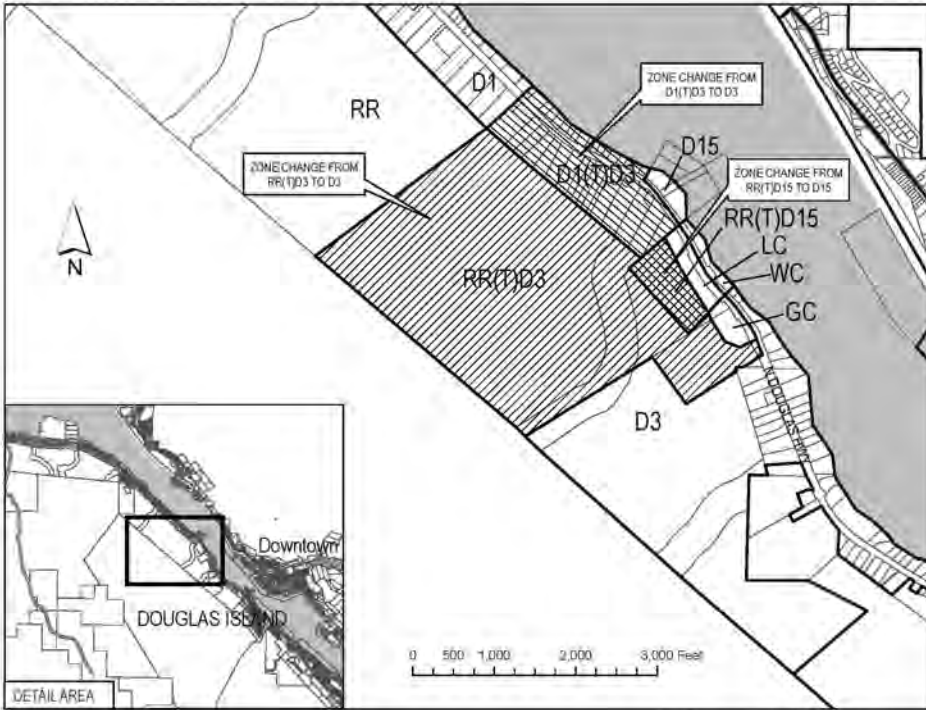


*If you have questions, please contact Travis Goddard at [travis.goddard@juneau.org](mailto:travis.goddard@juneau.org) or at 586-0715.*

Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at [www.juneau.org/plancomm](http://www.juneau.org/plancomm).



# NOTICE OF PUBLIC HEARING



**City & Borough of Juneau**  
 Community Development Department  
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| <b>Place:</b>        | <b>Assembly Chambers</b>        | <b>Zoned:</b>        | <b>RR(T)D3 and RR(T)D15</b>                 |
|                      | <b>Municipal Building</b>       | <b>Site Address:</b> | <b>1.3 — 1.9 Mile of N. Douglas Highway</b> |
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*If you have questions, please contact Chrissy McNally at 586-0761 or christine.mcnelly@juneau.org*



Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at [www.juneau.org/plancomm](http://www.juneau.org/plancomm).

## Attachment H - Additional Materials

### Travis Goddard

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**From:** Christine McNally  
**Sent:** Tuesday, November 04, 2014 1:21 PM  
**To:** 'travis.goddard8@gmail.com'; Travis Goddard  
**Subject:** FW: Rezone

For the North Douglas rezone memorandum

-----Original Message-----

**From:** Fred Yates [<mailto:fred12yates@gmail.com>]  
**Sent:** Tuesday, November 04, 2014 12:13 PM  
**To:** Christine McNally  
**Subject:** Rezone

Good morning, My name is Fred Yates. My address is 5470 n Douglas I am on the boundary of the residential rezone proposal along north Douglas hwy. I would like my property to be included in this rezone. When I spoke to you on Monday you suggested I write an email to request my property to be included in this rezone.

Thank you for the consideration.  
Fred Yates

Sent from my iPhone

## Attachment H - Additional Materials

Planning Commission  
& Community Dev. Dep.

155 S. Seward St.  
Juneau, AK 99801



Re: North Douglas Highway Re-zone

Dear Planning Commission and Community Development,

This letter is to inform you that I fully and completely object to any proposed increases in zoning beyond D-3 at my property located at 5065 N. Douglas Highway. Further, I object to any neighborhood wide increases in zoning, beyond D-3, of the neighborhood. Juneau is in the midst of a housing crisis and I am extremely happy that the CBJ is taking steps to solve the problem. Please continue to work towards fixing the housing problem, BUT you must act in measured and predictable way and within the bounds of the CBJ Comprehensive Plan. My family and I have three primary reasons for our objections; 1: We will not be able to use our property for the reasons we purchased it. 2: The proposed re-zone departs from the long-standing transitional zoning of the neighborhood. 3: The re-zone is not consistent with neighborhood preservation measures found in the Comp Plan. Please read this letter in its entirety and give it due and fair consideration as you discuss the proposed re-zone on 25 Nov 2014.

1. My family and I purchased our home at 5065 N. Douglas Hwy in July 2014. We chose this home because it sat on a large wooded lot situated amongst other large wooded lots on the uphill side of N. Douglas Highway, making for a very rural feeling neighborhood. Additionally, my children love animals and desperately want to have pet rabbits and a miniature goat. City ordinances preclude having "farm" animals (even pets) in D-5 zoning or higher so we needed to find a home zoned D-1 or D-3 and one large enough to support the animal. Because we needed a large lot, a rural feeling neighborhood and zoning that allowed animals we were very restricted in the potential homes available to us.

We eventually found a house, but had to pay a high price for it because large lots in rural settings are in very short supply in Juneau. When we purchased this home we did our due diligence beforehand and understood that this home was zoned D-1(T)D-3. We prefer the D-1 zoning and had hoped it would last many years. Even knowing a re-zone to D-3 could happen we were still willing to buy the house because it would still be fairly rural and allow farm pets. Now, within just a couple months of buying our dream house/property all of our aspirations, dreams and enthusiasm have been destroyed because of a sudden and unpredictable change in zoning. I realize there is a housing crisis in Juneau but do not solve this crisis by forcibly changing our neighborhood from D-1(T)D-3 to D-5.

## Attachment H - Additional Materials

2. This neighborhood has been zoned D-1(T)D-3 since the late 1980's. That means that the City of Juneau has been signaling to both current and future landowners for more than 20+ years that this land will eventually transition to D-3. Never ever has there been any indication whatsoever that this land would transition to D-5. I reviewed public land records for all parcels located in my neighborhood that are part of the up-zone proposal to D-5. What I found was that 23 of the 24 privately owned lots have been sold and repurchased since 1990. What that means is that 96% of current owners have made a clear and overt financial decision to buy land zoned D-1(T)D-3. Changing the neighborhoods zoning to anything other than D-3 would be reckless, irresponsible and undermine a landowner's ability to rely on the CBJ's adopted planning documents to make purchasing decisions.

It is improper for CDD and the Planning Commission to assume that any landowner who is not overtly fighting against the zoning change agrees with it and desires D-5 zoning. Modern families are extremely busy and many do not engage the democratic process and provide the government with input. Do not assume that a landowner's inaction to fight against the up-zone means they agree with it. The landowners have already spoken. Just like me, they have spoken through the overt act of spending thousands of dollars on a home and land. Since 1990, 96% of the homes have been repurchased which is a clear and undeniable action by the landowners that they wanted land zoned D-1(T)D-3. I understand there may be a landowner or two who now desires to up-zone their land to D-5 and develop it. This landowner purchased land zoned D-1(T)D-3; if they now desire D-5 land they should seek out and buy land zoned D-5 or apply for a zoning change on his or her own and undergo the appropriate review process. Do not assume anyone not fighting against the re-zone desires to up-zoned and certainly do not undertake a bulk up-zone to D-5 when every CBJ planning and zoning documents for the last 20+ years has indicated a change to D-3 and landowners like myself have made buying decisions based on these plans.

3. Lastly, a change to D-5 is not fully consistent with the adopted 2013 Comprehensive Plan. Page 14 of the Comp Plan describes rural areas of Juneau as follows: "Rural: Rural areas can be found in the forested areas west of the Mendenhall River and in Thane, North Douglas... Vacant parcels within rural neighborhoods that are provided municipal sewer service should be developed at suburban densities, although with site design and massing that reflects the rural character of the neighborhood." The adopted plan in its entirety must be adhered to and used as a basis for decisions. Please do not ignore this section of the plan that explicitly notes N. Douglas is a rural area and directs the rural character of the neighborhood to be maintained. D-5 zoning is not rural and will negatively impact the rural feel of the neighborhood.

## Attachment H - Additional Materials

Please also note the following excerpt from page 144 of the Plan where it cautions against using land use categories as the sole basis for development decisions. "These [land use] descriptions are intended to describe the overall character of development for each land use category and are not intended to be firm or restrictive definitions." This neighborhood is categorized as ULDR and has been since the late 1980's. There is a great deal of land categorized as ULDR in Juneau that is also zoned D-5. Places like the Mendenhall Valley, Lemon Creek, and the Twin Lakes are correctly categorized as ULDR/D-5 combination. However, N. Douglas is a very different area with a very different neighborhood character and massing. Several neighborhood areas off of Back Loop road and near Auke Lake area are correctly classified as ULDR/D-1 or ULDR/D-3 because of their rural nature. North Douglas is very similar and should have its rural character preserved by zoning it no higher than ULDR/D-3. The Plan allows for D-3 zoning in a ULDR land categorization. D-3 is what CBJ has planned for this area for over 20 years and represents a good fit for the area because it maintains the rural character of the area while allowing a reasonable level of in-fill development to occur.

Thank you for taking the time to read this letter. It is my family's sincere hope that you have read this letter with an open and un-biased mindset. Yes, there is a housing crisis in Juneau that must be solved. Please work towards solving the housing problem, but do not do it on the backs of private landowners who already have a home. For over 20 years, people like me have made home buying decisions based on the D-1(T)D-3 zoning density of this neighborhood. We have plans and aspirations for our land and the sudden push to up-zone the land to D-5 is negatively impacting us. A D-3 zoning density is consistent with the Comp Plan, will maintain the rural feel and character of the neighborhood and yet allow a reasonable level of additional development. Please stick with the original plan and transition this neighborhood D-3.

Sincerely,

Kody and Sofia Stitz

Handwritten signatures of Kody and Sofia Stitz. The signature on the left is Kody Stitz and the signature on the right is Sofia Stitz.

5065 N. Douglas Hwy  
Juneau, AK 99801



# MEMORANDUM

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

**DATE:** August 18, 2014

**TO:** Planning Commission

**FROM:** Chrissy McNally, Planner *Chrissy McNally*  
Community Development Department

**FILE NO.:** AME2013 0016

**PROPOSAL:** Rezone property from RR(T)D3, D1(T)D3, and RR(T)D15 to D3 and D15 along North Douglas Highway.

Applicant: City and Borough of Juneau

Property Owner: City and Borough of Juneau, Multiple

Property Address: North Douglas Highway

Site Size: 285 Acres

Zoning: RR(T)D3, D1(T)D3, RR(T)D15

Comprehensive Plan  
Land Use Designations: MDR, ULDR, RDR, SC (Maps K &L)

Utilities: CBJ water and sewer

Access: North Douglas Highway

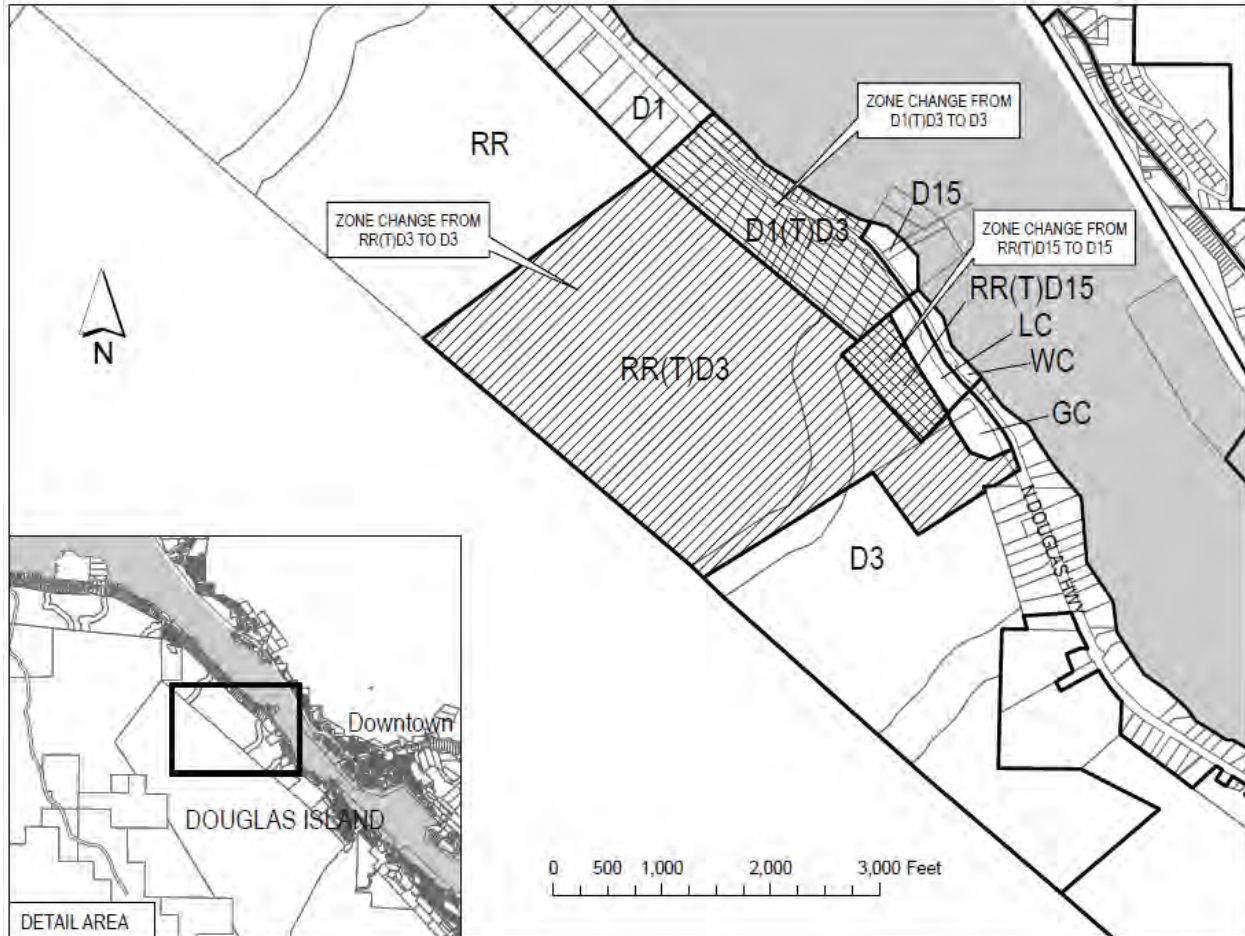
Existing Land Use: vacant, single family, duplex, multifamily, commercial

Surrounding Land Use: North- Rural Reserve/D1  
South- D3/D18  
East - Gastineau Channel  
West - Rural Reserve

## Attachment H - Additional Materials

Planning Commission  
File No.: AME2013 0016  
August 18, 2014  
Page 2 of 13

### VICINITY MAP



- Attachment A: Comprehensive Plan Land Use Maps
- Attachment B: 2009 Traffic impact analysis study areas map
- Attachment C: Ordinance 89-07
- Attachment D: Ordinance 99-01AM
- Attachment E: Ordinance 97-01AM
- Attachment F: Public notice
- Attachment G: Neighborhood meeting notice

## Attachment H - Additional Materials

Planning Commission  
 File No.: AME2013 0016  
 August 18, 2014  
 Page 3 of 13

| <b>Parcel Code No.</b> | <b>Legal Description</b> | <b>Current Zoning</b> | <b>Transition Zone</b> | <b>Acres</b> |
|------------------------|--------------------------|-----------------------|------------------------|--------------|
| 6D0701000031           | USMS 2225 Tract 1        | RR                    | D15                    | 11           |
| 6D0611000010           | USS 4605 FR              | RR                    | D3                     | 200          |
| 6D0611000012           | USS 4605 FR              | RR                    | D3                     | 18.35        |
| 6D0601150011           | Channel View Lot 1       | RR                    | D3                     | 15.41        |
| 6D0701000020           | Triangle Lot 3           | RR                    | D3                     | 1.03         |
| 6D0701010171           | USS 2960 Lot 7A          | D1                    | D3                     | 0.83         |
| 6D0701010172           | USS 2960 Lot 7B          | D1                    | D3                     | 2.75         |
| 6D0701010161           | USS 2960 Lot 8B          | D1                    | D3                     | 1.5          |
| 6D0701010162           | USS 2960 Lot 8A          | D1                    | D3                     | 1.5          |
| 6D0701010150           | USS 2960 Lot 9A          | D1                    | D3                     | 1.67         |
| 6D0701010140           | USS 2960 Lot 9B          | D1                    | D3                     | 1.66         |
| 6D0701010130           | USS 2960 Lot 10 FR       | D1                    | D3                     | 1.88         |
| 6D0701010120           | USS 2960 Lot 10 FR       | D1                    | D3                     | 1.92         |
| 6D0701010110           | Deep Lots Lot 11A        | D1                    | D3                     | 1.04         |
| 6D0701010100           | Deep Lots Lot 11B        | D1                    | D3                     | 1.08         |
| 6D0701010090           | Deep Lots Lot 11C        | D1                    | D3                     | 1.13         |
| 6D0701010080           | Deep Lots Lot 11D        | D1                    | D3                     | 1.17         |
| 6D0701010070           | USS 2960 Lot 12A         | D1                    | D3                     | 1.26         |
| 6D0701010071           | USS 2960 Lot 12B         | D1                    | D3                     | 2.23         |
| 6D0701010060           | USS 2960 Lot 13 FR       | D1                    | D3                     | 0.29         |
| 6D0701010050           | USS 2960 Lot 13 FR       | D1                    | D3                     | 3.39         |
| 6D0701010040           | USS 2960 Lot 14 Tract 2  | D1                    | D3                     | 3.2          |
| 6D0701010030           | USS 2960 Lot 14 Tract 1  | D1                    | D3                     | 0.61         |
| 6D0701010020           | USS 2960 Lot 15          | D1                    | D3                     | 3.54         |
| 6D0701010010           | USS 2960 Lot 16          | D1                    | D3                     | 1.53         |
| 6D0701080160           | USS 2960 Lot 6 Tract 1   | D1                    | D3                     | 0.28         |
| 6D0701080152           | USS 2960 Lot 6 Tract 2   | D1                    | D3                     | 0.72         |
| 6D0701080151           | USS 2960 Lot 6 Tract 2A  | D1                    | D3                     | 0.38         |
| 6D0701080140           | USS 2960 Lot 5 Tract A   | D1                    | D3                     | 0.44         |
| 6D0701080130           | USS 2960 Lot 5 Tract B   | D1                    | D3                     | 0.44         |
| 6D0701080120           | USS 2960 Lot 5 Tract C   | D1                    | D3                     | 0.43         |
| 6D0701080111           | Scott Lot 6              | D1                    | D3                     | 0.28         |
| 6D0701080112           | Scott Lot 7              | D1                    | D3                     | 0.27         |
| 6D0701080100           | Scott Lot 5              | D1                    | D3                     | 0.41         |
| 6D0701080090           | Scott Lot 4              | D1                    | D3                     | 0.26         |

## Attachment H - Additional Materials

Planning Commission  
File No.: AME2013 0016  
August 18, 2014  
Page 4 of 13

|              |                   |    |    |      |
|--------------|-------------------|----|----|------|
| 6D0701080080 | Scott Lot 3       | D1 | D3 | 0.26 |
| 6D0701080070 | Scott Lot 2       | D1 | D3 | 0.27 |
| 6D0701080060 | Scott Lot 1       | D1 | D3 | 0.24 |
| 6D0701080050 | Graham Lot 3A     | D1 | D3 | 0.28 |
| 6D0701080040 | Graham Lot 3B     | D1 | D3 | 0.23 |
| 6D0701080030 | Graham Lot 3C     | D1 | D3 | 0.24 |
| 6D0701080020 | Graham Lot 3D     | D1 | D3 | 0.25 |
| 6D0701080010 | USS 2960 Lot 2 FR | D1 | D3 | 0.31 |

## Attachment H - Additional Materials

Planning Commission  
File No.: AME2013 0016  
August 18, 2014  
Page 5 of 13

### **BACKGROUND**

The rezone of 43 parcels along North Douglas Highway extending from mile 1.3 to 1.9 was initiated by Community Development staff. The area is identified as a transition zone, RR(T)D3, RR(T)D-15, and D1(T)D3. The area has remained a transition zone in anticipation of City sewer installation. Sewer installation was completed in the summer of 2013.

Prior to 1984 the area was a mixture of zoning districts that included Low Density Multi-Family Residential District (RML), Residential Waterfront Commercial District (CWR), Residential District (R12) and Residential Reserve (R40). In 1987 zoning districts were amended on a borough wide scale. The zoning for these parcels was changed to RR(T)D3 and D1(T)D3.

### **Discussion**

The area discussed in this staff report is currently zoned D1(T)D-3, RR(T)D3, and RR(T)D-15. CBJ§49.70, Article VII addresses transition zones. CBJ§49.70.700 states that a transition zone is an overlay zoning district for certain lands that are set aside for higher density development after public water and sewer have been provided. It further states that the increase in density will take place at the time public services are provided. Public water has been available for some time, and public sewer installation was completed in the summer of 2013.

The following language is provided by the CBJ Land Use Code to describe the zoning designations:

CBJ 49.25.200 describes the Rural Reserve (RR) zoning district as follows:

*The RR, rural reserve zoning district, is intended for lands primarily in public ownership managed for the conservation and development of natural resources and for future community growth. In addition, recreation cabins, lodges and small seasonal recreational facilities may be allowed. (emphasis added)*

CBJ 49.25.210 (a) describes the D-1 zoning district as follows:

*The D-1, residential district, is intended to accommodate primarily single-family and duplex residential development in areas outside the urban service boundary at a density of one unit per acre. Certain D-1 zoned lands, however, may exist within the urban service boundary in transition areas if public sewer or water are absent but planned for. The D-1 classification will be changed to a higher density upon provision of services. (emphasis added)*

## Attachment H - Additional Materials

Planning Commission  
File No.: AME2013 0016  
August 18, 2014  
Page 6 of 13

CBJ 49.25.210 (b) describes the D-3 zoning district as follows:

*The D-3, residential district is intended to accommodate primarily single-family and duplex residential development at a density of three dwelling units per acre. **D-3 zoned lands are primarily located outside the urban service boundary where public utilities are not provided.** The density reflects the existing pattern of development of properties in the district. There is a limited amount of D-3 zoned lands located within the urban service boundary. **These are lands for which a lower density is deemed appropriate or, in the case of transition zones, where the zoning will be changed to a higher density when sewer and water are provided.** (emphasis added)*

CBJ 49.25.210 (e) describes D-15 as follows:

*The D-10 and D-15 residential districts are intended to accommodate primarily multi-family residential development at a density of ten and 15 dwelling units per acre respectively. These are relatively low-density multi-family districts.*

The 2013 Comprehensive Plan land use maps K and L show a variety of land use designations in the area (See attachment A). Four parcels are partially designated Medium Density Residential (MDR). These include parcels 6D0601150011 and 6D0701000020 designated for transition from RR to D3 and parcel 6D0701000031, designated for transition from RR to D-15. A portion of this 14.7 acre parcel was zoned Light Commercial with Ordinance 89-07 (See attachment C). Additionally, the southeast corner of the nearly 200 acre parcel, 6D0611000010, is designated MDR.

The approximately 200 acres of CBJ owned land designated for transition from RR to D3 is shown primarily as Urban Low Density Residential (ULDR). In addition, there is a 400 foot wide buffer along Eagle Creek which is designated SC which means Stream Protection Corridor. The total area of RR(T)D3 is approximately 216 acres.

The remaining 38 parcels are designated for transition from D1 to D3. Of these parcels, 26 are shown as ULDR on the Comprehensive Plan maps and 12 are shown as Rural Dispersed Residential (RDR).

The plan describes MDR (page 147) as follows:

*These lands are characterized by urban residential lands for multi-family dwelling units at densities ranging from 5 to 20 units per acre. Any commercial development should be of a scale consistent with a residential neighborhood, as regulated in the Table of Permissible Uses (CBJ 49.25.300).*

The plan describes ULDR (page 147) as follows:

## Attachment H - Additional Materials

Planning Commission  
File No.: AME2013 0016  
August 18, 2014  
Page 7 of 13

*These lands are characterized by urban or suburban residential lands with detached single-family units, duplex, cottage or bungalow housing, zero-lot-line dwelling units and manufactured homes on permanent foundations at densities of one to six units per acres. Any commercial development should be of a scale consistent with a single-family residential neighborhood, as regulated in the Table of Permissible Uses (CBJ 49.25.300).*

The plan describes RDR (page 147) as follows:

*These lands are characterized by dispersed, very low density **development not provided with municipal sewer or water.** Densities are intended to permit one dwelling unit per acre or larger lot sizes, based on existing platting or the capability of the land to accommodate on-site septic systems and wells. Uses may also include small-scale visitor-oriented, seasonal recreational facilities. (emphasis added)*

The plan describes SC (page 145) as follows:

*On CBJ-owned lands, a SC-Stream Protection Corridor designation serves to protect anadromous fish streams and their tributaries from development that could cause pollution, erosion, depletion of groundwater infiltration or otherwise could degrade the stream corridor and its biological functions. Upon first designation, a 200 foot wide corridor on both sides of the bank would be included within the designated corridor along anadromous fish water bodies included within the Alaska Department of Fish and Game Inventory adopted by the CBJ Assembly. However, this “base” designation should be revised and the length and breadth of the specific corridor should be determined by a scientific/biological assessment of the functionality and habitat value of the particular stream segment; the width and length of the protected corridor may be more or less than the 200-foot base protection zone. No development should be permitted other than passive, non-motorized trails, their support systems and, under special circumstances, roads and parking areas necessary to the maintenance and protection of the resources therein or to facilitate managed non-motorized public access for education and passive recreation activities. These lands should be zoned to prevent residential, commercial, and industrial development, as well as resource extraction activities. The CBJ should retain ownership of these lands.*

CBJ 49.75.120 places restrictions on rezoning. One of these restrictions is that a rezoning shall not allow uses which violate the land use maps of the comprehensive plan.

### **ANALYSIS**

#### **Zone Change Initiation**

CBJ §49.75.110. INITIATION. A rezoning may be initiated by the director, the commission or the assembly at any time during the year. A developer or property owner

## Attachment H - Additional Materials

Planning Commission  
File No.: AME2013 0016  
August 18, 2014  
Page 8 of 13

may initiate a request for rezoning in January or July only. Adequate public notice shall be provided by the director to inform the public that a rezoning has been initiated.

1. Were the proposed zone changes initiated by the property owner during the appropriate time frame?

**Yes.** Application for AME2013 0016 was submitted by the director on December 20, 2013.

2. Did the director provide adequate public notice through newspaper advertising, property owner mailings and requiring a public notice sign to be posted on-site as required by CBJ§49.15.230, Public Notice Requirements?

**Yes.** The public was notified through newspaper advertising published on Friday, August 15, 2014 and Monday, August 25, 2014, mailings to owners of all properties within 500 feet of the subject properties, and a public notice sign posted on-site for two weeks prior to the Planning Commission hearing on the rezone request.

### **Restrictions and Procedure**

CBJ §49.75.120. RESTRICTIONS ON REZONINGS. Rezoning requests covering less than two acres shall not be considered unless the rezoning constitutes an expansion of an existing zone. Requests which are substantially the same as a rezoning request rejected within the previous twelve months shall not be considered. A rezoning shall not allow uses which violate the land use maps of the comprehensive plan.

The CBJ Land Use Code provides minimum restrictions for zone change requests. This proposal conforms to these restrictions as follows:

The entire area, as proposed for rezoning is greater than 2 acres. The proposed area for transition from RR and D1 to D-3 is 274 acres and is an expansion of an existing zoning district. The area proposed for transition from RR to D-15 is 11 acres and not part of an expansion of an existing zoning district. However, the proposed rezone to D-15 is consistent with the MDR designation shown on the maps of the Comprehensive Plan and is greater than 2 acres.

CBJ§49.70, Article VII addresses Transition Zones. CBJ§49.70.700 states that a transition zone is an overlay zone district for certain lands that are set aside for higher density development after public water and sewer have been provided. It further states that the increase in density will take place at the time public services are provided. As stated previously, public water has been available for some time, and public sewer installation was completed in the summer of 2013.



## Attachment H - Additional Materials

Planning Commission  
File No.: AME2013 0016  
August 18, 2014  
Page 9 of 13

### **Land use**

The area is made up of 43 individual lots. The majority of the transition area is a nearly 200 acre portion of a CBJ owned parcel. Of the 38 parcels designated to transition to D3, eight are vacant twenty of them are developed with single family homes; five are developed with single family homes with accessory apartments; two are developed with duplexes and three with triplexes. These lots range in size from 10,018 square feet to 3.54 acres.

The approximately 200 acres of CBJ owned land designated for rezoning is part of a larger vacant 654 acre parcel. This parcel was part of the Community Development Department's 2006 Buildable Sites study. Buildable land was considered to have less than an 18% slope and absent of Category A or B wetlands. The area in the transition zone is a bench consisting mostly of Category B wetlands. The 2006 study determined only 10% or 65 acres of the entire 654 acre parcel developable. There is currently no developed access road to this parcel. CBJ Lands and Resources Manager, Greg Chaney provided the following comments on the rezone:

*“Given that this area has some locations that represent development challenges, in the future multifamily zoning might be appropriate so that development could be clustered in the best sites. Until this time, the proposed D3 zoning will serve our needs as a placeholder.”*

The parcel designated for partial transition to D-15 is the site of an inactive gravel pit. A portion of the parcel is zoned Light Commercial. As previously stated, this parcel was partially rezoned to Light Commercial in 1989. The purpose of this rezone was to provide an appropriate designation for a permitted gravel pit. In 1997 the remaining portion of the lot was rezoned from RR(T)D3 to RR(T)D-15 with the approval of MAP-ZC96-03 in order to create a better transition from Light Commercial for future development (Attachment E).

To the east of the Light Commercial zone is parcel 6D0701000020, partially zoned General Commercial. This rezone occurred with Ordinance 99-01AM (Attachment D). This lot is restricted to motor vehicle sales and repairs and is the site of Mike Hatch Jeep. The area of parcel 6D0701000020 designated to be rezoned from RR to D3 is vacant.

### **Density**

The requested D-3 zone would allow for up to 3 dwellings per acre. Already developed lots could potentially accommodate additional dwelling units each based on individual lot size. Current zoning will allow for 1 unit per acre on each of the 43 lots in the transition area. A total of 44 units currently exist on the subject parcels. An upgrade in zoning density provides for a potential maximum of 161 dwelling units.

Without considering topographical and other design constraints, the eleven privately owned vacant lots combined area could potentially support 54 units. The maximum potential density could be as high as 259 units if the entire area was built out to its highest potential.

## Attachment H - Additional Materials

Planning Commission  
File No.: AME2013 0016  
August 18, 2014  
Page 10 of 13

The requested D-15 zone would allow for 15 units per acre. The subject area is 11 acres, therefore, this site could allow for 165 units.

A D-3 and D-15 zoning designation would allow for some lots to be subdivided. For lots currently zone RR(T)D-3 and D-1(T)D-3 the minimum lot size will decrease from 36,000 square feet to 12,000 square feet with a transition to D3. The parcel to transition from RR to D-15 will have the minimum lot size decrease from 36,000 to 5,000 square feet.

However, according to the CBJ roadway classification maps North Douglas Highway is classified as a minor arterial. Based on CBJ 49.40.130(b) lots resulting from a subdivision of land seeking new access via a minor arterial must meet the D1 zoning district lot area standards.

This requirement is found in the "Access" section of Title 49. This section is intended to minimize the number of driveways, and vehicles accessing the minor arterial. Therefore, excluding the large CBJ owned parcel, 17 lots would eligible for subdivision without the need for an approved variance. However, most lots will be able to add dwelling units without subdividing. Any new access onto North Douglas Highway would require approval of the Alaska Department of Transportation and Public Facilities (DOT&PF). DOT&PF classifies North Douglas Highway as a collector.

While solicited, comments from the Fire Marshall were not received specific to this rezone. The Fire Marshall will be consulted regarding any future development proposals.

### **Comprehensive Plan**

As mentioned earlier, the entire area is shown on Maps K and L (pgs 161 & 162) of the 2013 Comprehensive Plan. The area is shown as Rural Dispersed Residential (RDR), Urban Low Density Residential (ULDR), and Medium Density Residential (MDR) and the area around Eagle Creek as a Stream Protection Corridor (SC).

Parcels 6D0601150011, 6D0701000020, and 6D0611000010 are each either in part or in whole designated for transition to D-3 and are designated as MDR on the Comprehensive Plan maps. A D-3 zoning designation is not consistent with the MDR designation which calls for 5 to 20 units per acre. A zoning designation of D-5, D-10, D-15, or D-18 would be consistent with the MDR land use designation. However, rezoning to any zone other than D-3 will require approval by the Assembly.

Parcel 6D0701000031 is designated for transition to D-15. This parcel is designated as MDR on the Comprehensive Plan maps. The D-15 zone is consistent with the MDR designation.

For those parcels zoned D-1(T)D-3 and the remainder of the large CBJ owned parcel, a zoning designation of D-3 is not entirely consistent with the ULDR designation provided by the Comprehensive Plan maps. The ULDR designation calls for 1 to 6 units an acre and is intended

## Attachment H - Additional Materials

Planning Commission  
File No.: AME2013 0016  
August 18, 2014  
Page 11 of 13

for common wall development, which is allowed in the D-5 zoning district but not in the D-3 zoning district. These parcels could be rezoned to D-5 and be more consistent with the ULDR designation. D-5 is consistent with the maps of the comprehensive plan but would require approval by the Assembly.

Further inconsistency exists between those parcels zoned D-1(T)D-3 that are designated RDR by the Comprehensive Plan. An RDR designation is consistent with the D-1 zoning district as it calls for 1 unit an acre and no municipal sewer. These lots now have city sewer service. The RDR land use designation does not align with the provision of city water and sewer. However, given the installation of public sewer and several policies of the Comprehensive Plan that support increased density, a transition to D-3 would be appropriate.

The Comprehensive Plan offers general guidance for residential development:

**Policy 10.1** (page 129) states it is the policy of the CBJ “to facilitate availability of sufficient land with adequate public facilities and services for a range of housing types and densities to enable the public and private sectors to provide affordable housing opportunities for all CBJ residents.”

**SOP2** (page 130) states “Designate sufficient land on the Comprehensive Land Use Maps and zoning maps to provide for a full range of housing types and densities desired by CBJ households. Provide choices in residential neighborhood character such that residents can choose to live in urban, suburban and rural residential settings and neighborhoods.”

**Policy 10.3** (page 131) states it is the policy of the CBJ to “facilitate residential developments of various types and densities that are appropriately located in relation to site considerations, surrounding lands uses, and capacity of public facilities and transportation systems.”

The proposed rezoning is within Subarea 8 of the 2013 Comprehensive Plan. The Plan (page 190) states that when recognizing the growth potential of this area the limitation of the North Douglas Highway and the Juneau-Douglas Bridge must also be considered. On page 192 *Guideline and Considerations* number 4 states in part that when city water and sewer are provided, more efficient use of the land should be encouraged. It also states that residential densities should be increased when, and where roads, terrain, and other public services would provide carrying capacity for the additional residential population.

Therefore, given the recent installation of City sewer services, this transition to a higher density is in general conformity with the 2013 Comprehensive Plan.

### **Traffic and Access**

As mentioned above, North Douglas Highway and the Juneau-Douglas Bridge create limitations for future development. This is why CBJ commissioned a Traffic Impact Analysis (TIA) prior

## Attachment H - Additional Materials

Planning Commission  
File No.: AME2013 0016  
August 18, 2014  
Page 12 of 13

to evaluating previous rezoning requests adjacent to the subject area. The conclusions of this TIA are relevant to the rezone considered in this staff report.

The TIA Study Area evaluated potential future traffic impacts along the North Douglas Highway from the roundabout to just past Nelson Creek. The TIA further broke the study area up into three sections. The subject area is within study area 2 (Attachment B). The study concludes that traffic generated by future development along North Douglas Highway will negatively impact the level of service (LOS) at the Douglas roundabout and at the intersection of Egan Drive and 10<sup>th</sup> Street. On page 3-22 the study estimated how much additional traffic could be added before LOS F is reached. The study concludes that at 10<sup>th</sup> and Egan the limiting time is PM peak hour. The TIA states the intersection can accommodate 517 additional vehicles before reaching LOS F. For the Douglas roundabout the limiting time is the AM peak hour, and 334 additional vehicles can be accommodated before LOS F is reached.

The TIA also notes that access road schemes for future development in the study area have not been established (pg 3-27). Future driveways and access roads will be subject to the DOT&PF permitting process. However, the TIA recommends that access points for new developments should be aggregated to the extent possible, and access roads should be spaced at least one quarter mile from adjacent access roads.

In response to a request for comment on this rezone DOT&PF expressed concern with future access points and would like to see them limited. DOT&PF commented that it is difficult to comment without specific development plans. Access is addressed with the subdivision ordinance mentioned previously requiring any additional lots that sought new access onto a minor arterial to meet the D-1 zoning district minimum lot size of 36,000 square feet. If access was to be shared with an existing lot, this standard would not apply.

CBJ Title 49 may also require future applications for development to submit traffic impact analyses. This places the burden of mitigation on the developer whose proposal triggers the number of trips that requires mitigation.

### **Summary**

There is an inconsistency with the definition of the D-3 zoning district and transitioning 42 parcels to this zoning designation. As stated on page 6 of this report, the D-3 zoning district is intended to exist primarily outside of the urban service boundary or as the zoning designation before a transfer to a higher density. However, the D-3 zoning designation may be applied where generally lower densities are considered appropriate. Therefore, while D-3 is not entirely inconsistent, a D-5 zoning designation for those lots designated ULDR should be considered.

While density of 3 units per acre is consistent with the ULDR designation of the Comprehensive Plan, it is not consistent with the MDR designation. A D-5 zoning designation is more consistent with the ULDR and MDR designations. Further, a D-15 zoning designation is consistent with

## Attachment H - Additional Materials

Planning Commission  
File No.: AME2013 0016  
August 18, 2014  
Page 13 of 13

MDR and would great a continuous D-15 zone next to the Light Commercial and General Commercial zones.

A recommendation of D-5 or higher must be approved by the Assembly. Only the transitions to D-3 and D-15 can be approved by the Planning Commission. Should the Planning Commission approve any zoning other than the mapped transitions, staff recommends holding an additional neighborhood meeting before seeking Assembly action.

### **FINDINGS**

After review of the application materials, the CBJ Land Use Code and the CBJ Comprehensive Plan the Director makes the following findings:

1. The request meets the submittal requirements and the rezoning initiation, zone change restrictions and procedural requirements of the CBJ Land Use Code.
2. D-3 zoning substantially conforms to Land Use maps K and L of the Comprehensive Plan for those lots designated as ULDR, RDR and SC.
3. D-15 zoning substantially conforms to Land Use maps K and L of the Comprehensive Plan for those lots designated MDR.

### **RECOMMENDATION**

Staff recommends the following:

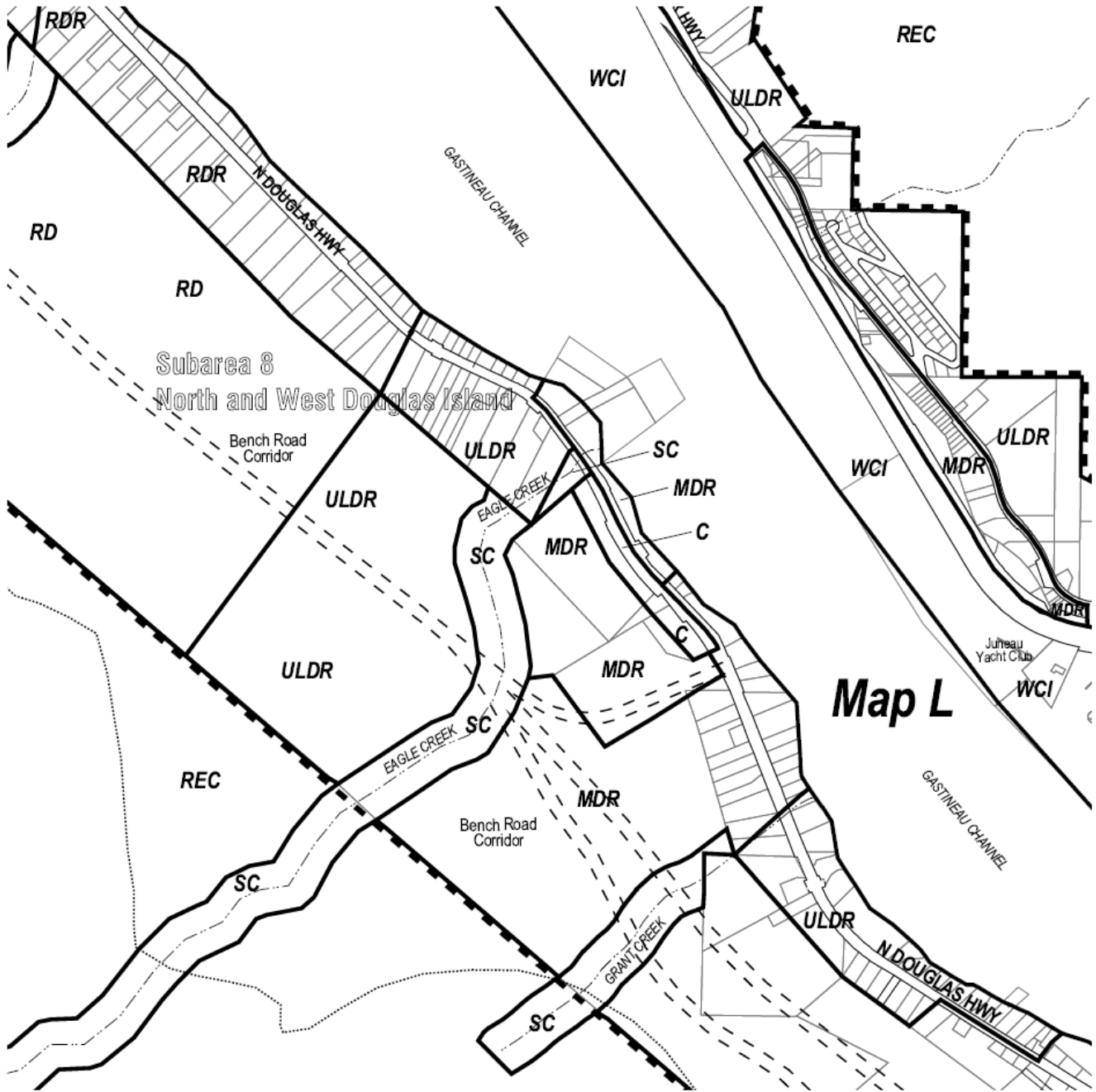
1. Approve the zone transition from RR to D-15.
2. Approve the zone transition from D1 to D-3 for those lots designated RDR on the Land Use maps of the Comprehensive Plan.

Additionally, staff recommends consideration of the following:

1. An upzone to D5 for lots designated as ULDR on the Land Use maps of the Comprehensive Plan.
2. An upzone to D-15 for lots designated as MDR on the Land Use maps of the Comprehensive Plan.

Should the Planning Commission approve any zoning other than the mapped transitions, staff recommends holding an additional neighborhood meeting before seeking Assembly action.

Attachment H - Additional Materials  
2013 Comprehensive Plan Land Use Map



Attachment H - Additional Materials



# Attachment H - Additional Materials

Presented by: The Manager  
Introduced: 02/13/89  
Drafted by: B.J.B.

## ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 89-07

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY AND BOROUGH TO CHANGE THE ZONING OF A PORTION OF LOT 3, U.S. SURVEY 3381 FROM RR(T)D-3 (RURAL RESERVE TRANSITION TO D-3 RESIDENTIAL), TO GC, GENERAL COMMERCIAL; AND TO CHANGE THE ZONING OF A PORTION OF U.S. MINERAL SURVEY 2225 FROM RR(T)D-3 TO LC, LIGHT COMMERCIAL.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

\* Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the city and borough code.

\* Section 2. Amendment of Official Zoning Map. The official zoning map of the city and borough adopted pursuant to CBJ 49.25.110 is amended as shown on the attached Exhibit "A" to change the zoning of a portion of Lot 3, U.S. Survey 3381, from RR(T)D-3 (rural reserve transition to D-3 residential) to GC, general commercial; and to change the zoning of a portion of U.S. Mineral Survey 2225 from RR(T)D-3 to LC, light commercial; with the following conditions:

(a) Access to and from North Douglas Highway shall be restricted to one driveway located in the vicinity of the common property line between Lot 3, U.S. Survey 3381, and U.S. Mineral Survey 2225; and

(b) The owner of Lot 3, U.S. Survey 3381, shall submit a site plan of the automobile dealership located on the property to the design review board for review and approval.



Attachment H - Additional Materials

\* Section 3. Effective Date. This ordinance shall be effective thirty days after its adoption.

Adopted this 6th day of March, 1989.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
Clerk

MAR 05 1999

CBJ  
Permit Center

Presented by: The Manager  
Introduced: 01/04/99  
Drafted by: J.R. Corso

**ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA**

**Serial No. 99-01am**

**An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Lot 2, Channel View Subdivision.**

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

**Section 1. Classification.** This ordinance is of a general and permanent nature and shall become a part of the city and borough code.

**Section 2. Amendment of Official Zoning Map.** The Official Zoning Map of the city and borough adopted pursuant to CBJ 49.25.110 is amended to change the zoning of Lot 2, Channel View Subdivision from RR(T)D3 (Rural Reserve Transitional to D-3 Residential) to GC (General Commercial). The area of changed zoning is shown on the attached Exhibit "A."

**Section 3. Conditions.** The zone change shall be subject to either of the following sets of conditions, one of which the developer must select and satisfy prior to issuance of any building or development permit for the property:

(a) Option 1.

(1) A driveway permit shall be obtained from the Alaska Department of Transportation and Public Facilities for access to the existing commercial use; all improvements required by the permit shall be completed, and any proposed access solution shall be compatible with existing access restrictions.

(2) The use of the property shall be restricted to motor vehicle sales and repair.

(3) Compliance with all conditions will be determined by the Director of the Community Development Department.

(b) Option 2.

(1) The use of Lot 2, Channel View Subdivision, for a portion of the existing commercial use, and the resulting access to North Douglas Highway, shall be discontinued.

(2) That the existing physical access from Lot 2, Channel View Subdivision to North Douglas Highway be blocked.

(3) The use of the property shall be restricted to motor vehicle sales and repair.

Attachment H - Additional Materials

\* Section 3. Effective Date. This ordinance shall be effective thirty days after its adoption.

Adopted this 6th day of March, 1989.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
Clerk

Attachment H - Additional Materials

Presented by: The Manager  
Introduced: 09/15/97  
Drafted by: J.R. Corso

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 97-38

**An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of a Portion of Tract 1, USMS 2225, an Area Generally Described as 2 Mile North Douglas Highway.**

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

**Section 1. Classification.** This ordinance is of a general and permanent nature and shall become a part of the city and borough code.


**Section 2. Amendment of Official Zoning Map.** The Official Zoning Map of the city and borough adopted pursuant to CBJ 49.25.110 is amended to change the zoning of a portion of Tract 1, USMS 2225, an area generally described as 2 Mile North Douglas Highway, from RR (T) D-3 (Rural Reserve Transitional to Single-Family/Duplex Residential) to RR (T) D-15 (Rural Reserve Transitional to Multi-Family Residential), exclusive of the LC, Light Commercial, portion. The described area is shown on the attached Exhibit "A."

**Section 3. Effective Date.** This ordinance shall be effective thirty days after its adoption.

Adopted this 6<sup>th</sup> day of October, 1997.

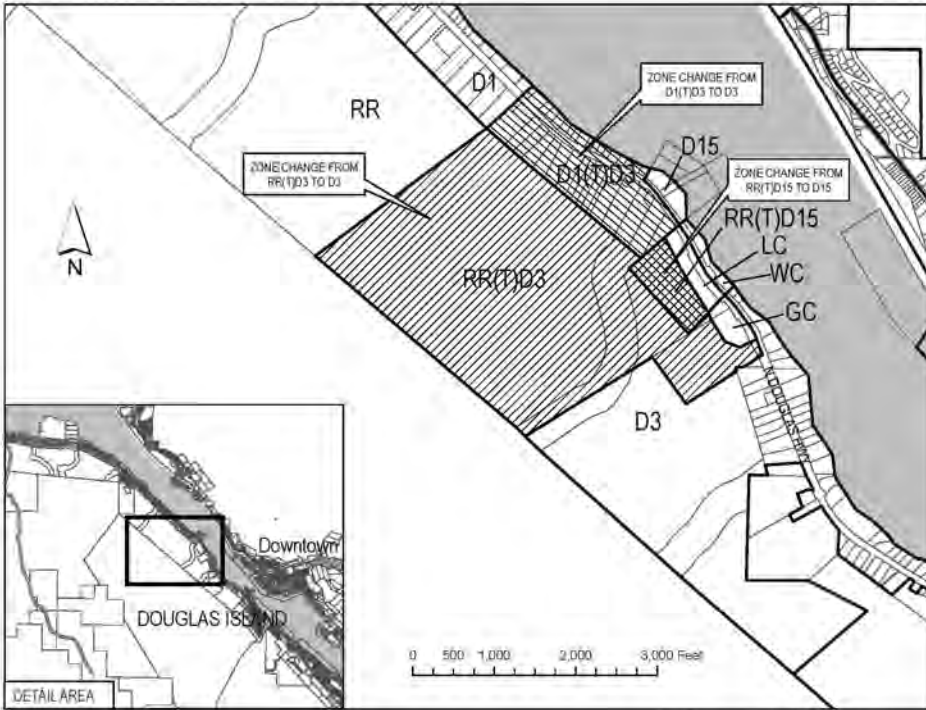
  
\_\_\_\_\_  
Dennis Egan, Mayor

Attest:

  
\_\_\_\_\_  
Marian J. Miller, Clerk



# NOTICE OF PUBLIC HEARING



**City & Borough of Juneau**  
 Community Development Department  
 155 S Seward Street • Juneau, Alaska 99801

**SHIP TO:**



**PROPOSAL:** Rezone of approximately 245 acres of RR(T)D3 to D3 and RR(T)D15 to D15 and approximately 40 acres of D1(T)D3 to D3 along North Douglas Highway.

|                      |                                 |                      |   |
|----------------------|---------------------------------|----------------------|---|
| <b>File No:</b>      | <b>AME2013 0016</b>             | <b>Applicant:</b>    | <b>City and Borough of Juneau</b>           |
| <b>To:</b>           | <b>Adjacent Property Owners</b> | <b>Property PCN:</b> | <b>Multiple</b>                             |
| <b>Hearing Date:</b> | <b>August 26, 2014</b>          | <b>Owner:</b>        | <b>Multiple</b>                             |
| <b>Hearing Time:</b> | <b>7:00 PM</b>                  | <b>Size:</b>         | <b>285 Acres</b>                            |
| <b>Place:</b>        | <b>Assembly Chambers</b>        | <b>Zoned:</b>        | <b>RR(T)D3 and RR(T)D15</b>                 |
|                      | <b>Municipal Building</b>       | <b>Site Address:</b> | <b>1.3 — 1.9 Mile of N. Douglas Highway</b> |
|                      | <b>155 South Seward Street</b>  | <b>Accessed Via:</b> | <b>N. Douglas Highway</b>                   |
|                      | <b>Juneau, Alaska 99801</b>     |                      |   |

**PROPERTY OWNERS PLEASE NOTE:**

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department 14 days prior to the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a few days before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

*If you have questions, please contact Chrissy McNally at 586-0761 or christine\_mcnally@ci.juneau.ak.us*



Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at [www.juneau.org/plancomm](http://www.juneau.org/plancomm).

**ATTACHMENT F**



**NOTICE OF NEIGHBORHOOD MEETING  
FOR TRANSITION ZONE**

Assembly Chambers  
Wednesday, June 25, 6:30-7:30 p.m.

June 3, 2014

Dear Resident,

You are receiving this letter because your property is zoned either RR(T)D3, RR(T)D15, or D1(T)D3. The CBJ Community Development Department initiated a Zone Change Application for properties in transition zones along mile 1.3 and 1.9 of North Douglas Highway. Enclosed you will find a list of all the properties in the transition area.

The CBJ Community Development Department is hosting a neighborhood meeting to explain the details and the CBJ rezone process. This meeting will be held on Wednesday, June 25, 2014, from 6:30 to 7:30 p.m. in the Assembly Chambers of City Hall.

The purpose of the June 25<sup>th</sup> meeting is to provide information, respond to questions, and to get a sense of concerns that the neighborhood might have, so issues may be addressed in advance of the formal public hearing with the CBJ Planning Commission. The project has been scheduled for review by the Planning Commission at the August 26<sup>th</sup> Regular Meeting. Prior to the meeting all landowners within 500 feet of the proposed rezone will receive a separate notice with details on how and where to submit comments or testify on the proposal.

If you have questions or would like more information, please contact Chrissy McNally, Community Development Planner, at 586-0761 or email: [christine\\_mcnally@ci.juneau.ak.us](mailto:christine_mcnally@ci.juneau.ak.us).

Enclosure: List of properties to be rezoned

cc: File number AME2013 0016