

**ASSEMBLY STANDING COMMITTEE
COMMITTEE OF THE WHOLE
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

July 19, 2021, 6:00 PM.

Assembly Chambers/Zoom Webinar/FB Livestream

<https://juneau.zoom.us/j/95424544691> or 1-253-215-8782 Webinar ID: 954 2454 4691

AGENDA

I. CALL TO ORDER

II. LAND ACKNOWLEDGEMENT

III. ROLL CALL

IV. APPROVAL OF AGENDA

V. APPROVAL OF MINUTES

A. Assembly Committee of the Whole DRAFT Minutes, May 10, 2021

VI. AGENDA TOPICS

A. Tourism Manager, Survey, VITF Implementation

B. Ordinance 2021-26 An Ordinance Amending the Official Zoning Map by Rezoning Channel View, Lot 1, Located near 4650 North Douglas Highway from D-15 to Light Commercial.

This ordinance, and its companion Ord. 2021-27, need deliberation by a committee of the Assembly. The ordinance involves a rezone request and Comprehensive Plan amendment for a 15-acre parcel near 4650 North Douglas Highway.

The applicant requested a rezone from D15 to General Commercial. The Community Development Department recommended a transition rezone from D15 to Light Commercial with conditions to comply with the Comprehensive Plan. The Planning Commission, instead, recommended a rezone from D15 to Light Commercial because it concluded Light Commercial conforms to the Comprehensive Plan, yet the Planning Commission also recommended the Assembly amend the Comprehensive Plan to allow the requested higher residential densities allowed in commercial districts.

Because the Manager recommends the Assembly adopt the Community Development Department's recommendation, the Manager recommends the Assembly Committee of the Whole consider this ordinance before it is set for public hearing.

This ordinance was introduced on July 11 and is set for public hearing on August 2, 2021.

C. Ordinance 2021-27 An Ordinance Amending the Comprehensive Plan Land Use Designation Map near 4650 North Douglas Highway from Medium Density Residential to High Density Residential.

This ordinance, and its companion Ord. 2021-26, need deliberation by a committee of the Assembly before being set for public hearing. The ordinance involves a rezone request and Comprehensive Plan amendment for a 15-acre parcel near 4650 North Douglas Highway.

The applicant requested a rezone from D15 to General Commercial. General Commercial allows 50 dwelling units per acre, which exceeds the maximum density permitted by the Comprehensive Plan MDR designation of 5-20 dwelling units per acre. Instead of General Commercial, the Planning Commission recommends the Assembly rezone the property to Light Commercial, which allows for 30 dwelling units per acre.

The Planning Commission recommends the Assembly amend the Comprehensive Plan land use designation from MDR to HDR, which accommodates higher densities of 18-60 units per acre. The

Community Development Department agrees that a Comprehensive Plan amendment from MDR to HDR is necessary before the Light Commercial rezone is appropriate.

This ordinance was introduced on July 11 and is set for public hearing on August 2, 2021.

VII. SUPPLEMENTAL MATERIALS

A. Docks and Harbors Nov. 12, 2020 Comments re: VITF Recommendations

VIII. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org

ASSEMBLY STANDING COMMITTEE
COMMITTEE OF THE WHOLE
DRAFT Meeting Minutes – May 10, 2021

The Assembly Committee of the Whole meeting, held virtually via Zoom webinar, was called to order by Deputy Mayor Loren Jones at 6:02p.m.

I. ROLL CALL

Assemblymembers Present: Maria Gladziszewski, Wade Bryson, Christine Woll, Michelle Hale, Carole Triem, Alicia Hughes-Skandijs, Greg Smith, Loren Jones, and Mayor Weldon.

Assemblymembers Absent: None.

Staff Present: City Manager Rorie Watt, Deputy City Manager Mila Cosgrove, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, Library Director/EOC Planning Chief Robert Barr, Finance Director Jeff Rogers, Lands Manager Dan Bleidorn, Parks and Recreation Director George Schaaf, Community Development Department (CDD) Planning Manager Alexandra Pierce, Assistant City Attorney Sherri Layne, Port Director Carl Uchytel, Port Engineer Erich Schaal

II. APPROVAL OF AGENDA

MOTION by Mayor Weldon to move Item E before Item D.

Hearing no objections, the motion was adopted by unanimous consent.

The agenda was approved as amended.

Mayor Weldon acknowledged Teacher Appreciation Week (May 3rd – May 7th) and appreciated their hard work thorough the pandemic, particularly the transition between virtual and in-person instruction.

She also recognized Nurses Appreciation Week (May 6th – May 12th) and expressed gratitude towards nurses for being on the frontlines, especially school nurses and health assistants.

III. APPROVAL OF MINUTES

A. Assembly Committee of the Whole DRAFT Minutes, February 22, 2021

B. Assembly Committee of the Whole DRAFT Minutes, March 15, 2021

Hearing no objections, the minutes of the February 22, and March 15, 2021 COW meetings were approved.

IV. AGENDA TOPICS

A. Juneau Commission on Aging Presentation

Juneau Commission on Aging Chair Dr. Emily Kane and JEDC Analyst James Cheng presented a summary of the results received from the decennial senior survey.

Dr. Kane shared that the Juneau Senior Survey collected 1,845 responses in October 2019 – January 2020; this number represents about 20% of Juneau’s population of those aged 55 years and older.

Dr. Kane identified senior housing as the primary concern amongst this population; specifically the availability of affordable assisted living, affordable independent senior housing, and services to help residents age in place. The JCOA recommended that the Assembly encourage developers to build senior friendly housing, and to respond to diverse housing needs (tiny homes, one floor condos, etc.).

Survey respondents also addressed their concerns regarding medical services that specialized in elder care. Half of survey participants reported that they have had trouble finding medical care in Juneau, and often need to travel outside of Juneau to seek treatment. JCOA recommended the Assembly collaborate with Bartlett to expand the amount of specialists in Juneau, and to work with UAS to train secondary and tertiary personnel.

Another area of concern amongst seniors was related to the high cost of living in Juneau. Over 65 survey respondents expressed disappointment with the 2015 Senior Sales Tax Exemption changes, and wished to see it restored. The JCOA recommended the Assembly continue supporting seniors via tax exemptions, especially low-income seniors.

The final concern addressed by the senior survey was a lack of support services. Mr. Cheng displayed a graph that detailed over 70% of survey respondents who said that they needed a change in their living situation. JCOA recommended the Assembly encourage collaboration between ASHNA (Alaska State Hospital & Nursing Home Association) and Bartlett, and to encourage UAS to continue offering their CAN (Certified Nurse Assistant) program.

Assemblymembers asked Dr. Kane a number of questions that she answered with respect to the projects mentioned in the survey report.

Ms. Woll expressed her appreciation to the JCOA for putting together the survey and she thanked all of the JCOA members: Dr. Kane, Kathleen Samalon, Justin Jones, Paul Douglas, Susan Warner, Linda Kruger, Carole Ende, Jan Beauchamp, and Jennifer Carson.

Mr. Watt mentioned that the Torrey Pines Development group will be applying for a Conditional Use Permit for their project on the May 25 Planning Commission meeting. He noted that the number of units that they will be applying for with the CUP application has increased from the initial predictions they had provided to the Assembly.

Mayor Weldon observed one of the largest contributing factors restricting seniors from receiving medical services was due to local providers not accepting Medicare. She asked Dr. Kane if the reopening of the Senior Center in the Valley was connected to the St. Paul Catholic Church, or a different organization. Dr. Kane said that the Senior Center was originally at St. Paul’s, although

she was not sure if the main parish building was a part of St. Paul's or if it was a different building next to the church.

Dr. Kane asked Mr. Watt if he knew if Torrey Pines was interested in other housing options, or were they primarily interested in providing assisted care. Mr. Watt clarified that the Torrey Pines Development Group was focused on solely providing assisted living.

Mr. Jones thanked Dr. Kane and Mr. Cheng for their presentation.

B. UA Property Update (Aurora/Harris Harbor)

Port Engineer Erich Schaal from CBJ Docks & Harbors provided the historic context of the current lease agreement that Docks & Harbors has had with UAS for the past 33 years at a yearly payment of \$13,000. This lease ended in May 2021, and Mr. Schaal mentioned that Docks & Harbors are working with UAS to extend the agreement. The new appraisal produced by Duran & Co. substantially increases the yearly payment by tenfold, as the proposed lease rent is \$230,000/year. The Duran & Co. appraisal also includes a cost to upgrade the entire facility, which would cost either \$2.8 Million for current site or \$8.5 Million for the full facility.

Docks & Harbors would like to discuss a potential partnership with the Assembly for a long-term plan regarding the purchase of that facility.

Port Director Carl Uchytel said he was available to answer any questions from Assemblymembers.

Mr. Bryson asked if there was any potential for a land trade that might offset the cost of the lease and make it more affordable. He also asked if there had been any conversations that explored alternative funding options. Mr. Watt provided information on the UAS land lease and the acquisition process. He also said that purchasing the property might be a good opportunity, given that UAS might consider a long-term lease payment plan in the future. He explained that a long term-lease would not be ideal, as it would put a large amount of pressure onto the Docks & Harbors budget.

Mr. Bryson asked Mr. Uchytel if this purchase could only be achieved through a voter-approved bond package, or if there were other potential purchasing mechanisms. Mr. Watt explained that Docks & Harbors has a modest fund balance, with some ability to raise revenues through their fees. He added that the purchase of this property would require the consent of the Assembly. Mr. Watt supported the decision to purchase this property through a treasury loan, as the dollar amount is too small to bond or market.

Mr. Uchytel explained that Docks & Harbors could raise revenues through their fees. Mr. Bryson said that he would be supportive of finding a way to help finance the purchase, and to reduce the annual cost of service fees.

Ms. Gladziszewski shared that she would be supportive of using a treasury loan to help fund the \$2.8M, but asked if there were any additional options for this property purchase. Mr. Watt suggested the Assembly decide on how to utilize the property, and then forward it to the Assembly Finance Committee to talk about the purchasing mechanisms. Ms. Gladziszewski said that she would be okay with transferring this over to the AFC for further discussion.

Ms. Hale asked if the Assembly would be interested in purchasing the entire property, and described the value of the property location and features. She also noted that UAS uses that space for some of their classes, and asked if the property might be leased back to UAS for that purpose if CBJ were to purchase it. Mr. Uchytel explained the property's history with UAS, including the programs that have been held there such as welding and the nursing program. He added that while Docks & Harbors would like to see the entire parcel in CBJ hands, they were also trying to look at the situation from a realistic standpoint, and that they would at least want to get the 2.8 acres if possible.

Mr. Smith asked Mr. Uchytel to clarify how much revenue Docks & Harbors has generated from these properties. Mr. Uchytel explained that the annual lease rent for boat yard is approximately \$27,000/year, the annual rent from the two subleases are approximately less than \$40,000/year.

Ms. Hale felt it was important for the Assembly to pursue purchasing the full 5.34 acres, saying it would be a valuable opportunity for CBJ to own the entire parcel. She encouraged the Assembly to consider potential full-property purchase options when it is brought up at the AFC meeting.

Mayor Weldon said she did not agree with Ms. Hale, as she would rather see the \$8.5 Million of private property on a taxable roll. She mentioned that this could be sold by UAS to a private property owner who would pay taxes on it, and that she did not see any valuable use for CBJ at this time.

Mr. Bryson asked Mr. Rogers if the Assembly were to consider purchasing the entire property, would they be able to use different borrowing programs.

Mr. Rogers explained treasury loan five year repayment option and explained that it may not be a workable amount for a revenue bond for a couple of million dollars. He said that they may be able to use the Bond Bank for a revenue bond for a few million dollars, it would be a preferential rating based on the revenues from the Docks & Harbors enterprise. He mentioned that it might be worth having this discussion at AFC to work out the details.

Ms. Gladziszewski clarified that the revenue that would be repaying any loan would not be only derived from the lease of this property, but from any and all Docks & Harbors revenue. Mr. Uchytel confirmed that was accurate.

Mr. Jones supported giving Docks & Harbors a loan of at least \$2.8M, but also mentioned the possibility of UAS vacating the building if the Assembly were to purchase the entire property.

He said that this should be discussed further at an AFC meeting. Mr. Jones also noted that Docks & Harbors property is still CBJ land, and he said that the Assembly should be looking at this not as a Docks & Harbors land purchase, but rather as a CBJ land purchase for use by Docks & Harbors.

Mr. Jones asked Mr. Uchytel if this property purchase could be covered by one of the grants recently received by Docks & Harbors. Mr. Uchytel explained that grant funding could not be used towards the purchase of land, but Docks & Harbors has been able to ask for federal grants for funding towards past projects.

C. Cruise Season Update - Verbal Report

Tourism Best Management Practices (TBMP) Manager Kirby Day shared that TBMP will still be operating this summer, and they are encouraged that Ketchikan, Skagway, Wrangell, and Icy Strait Point/Hoonah are looking to establish their own TBMP programs. TBMP feels that it is important to not only maintain TBMP this year, but to prepare for the 2022 summer season which will be coming back very strong. He said that TBMP wholeheartedly supports the Visitor Industry Task Force (VITF) recommendations. He commended Ms. Triem for her leadership with the VITF and they know that was a big lift and they support those recommendations going forward.

Mr. Dan Blanchard of Uncruise Adventures shared that Uncruise Adventures will have soon have six boats operating in Juneau, holding approximately 22 to 88 people per sailing. He shared that they originally anticipated they would have 4,500 passengers during the season, but they are now expecting 5,500 passengers due to the vaccine roll out. Uncruise Adventures are moving into the Seadrome building, and shrinking their Seattle offices significantly in favor of Juneau. Mr. Blanchard also mentioned that Uncruise Adventures just added four more weeks onto the end of their season. He extended his deepest thanks to the Assembly for all their support of him and his company.

Ms. Lanie Downs from Cruise Lines International Association (CLIA) shared that CLIA has been regularly meeting with the Center for Disease Control (CDC) since April to work on a multi-port agreement. The CDC has issued technical guidance for phases 2b and 3, which CLIA has reviewed and highlighted those areas in need of clarification. Ms. Downs said that CLIA had identified shore excursions as a high-priority concern, and they hope to address that issue with the CDC to everyone's satisfaction. She extended CLIA's thanks to Mr. Watt, Mayor Weldon, and the Legislative Delegation for all their efforts in trying to bring the cruise season back.

Mr. Watt said that CLIA and many of the port communities in Southeast Alaska have been meeting biweekly to collaborate and organize on the details for this year's cruise ship season. He said that one of the things that will happen as a result of the CDC requirements will be that he will be forwarding an ordinance to the Assembly to allow him to enter into Port Agreements with the various cruise lines to allow them to operate in Juneau in accordance with the CDC guidelines. Mr. Watt said he was pleased to see CBJ and CLIA working together to try to resume

the cruise industry post-pandemic, especially considering the legal history between the two entities.

Ms. Gladziszewski asked Ms. Downs if the recent CDC recommendations and the Conditional Sail Order from Canada would impact their sailings. Ms. Downs explained the test sailing requirements established by the CDC, and the vaccination levels needed to conduct test and future sailings. Regarding the Conditional Sail Order from Canada, Ms. Downs said that CLIA would like to find a way that would satisfy the technical stop without allowing any passengers to disembark. She added that Alaska's delegation has been diligently working on that issue by introducing legislation for a temporary waiver.

Mr. Jones addressed concerns relating to shore excursions, particularly regarding passengers leaving the ships on their own. Mr. Jones asked Mr. Blanchard if that would apply to small cruise ships like Uncruise Adventures vessels. Mr. Blanchard said that the CDC requirements are for ships of 250 passengers and above, and his vessels do not fall under those requirements as their passenger sizes are much smaller. He also mentioned that all of Uncruise Adventure sailings have 100% vaccinated crew and passengers.

Mr. Jones asked Ms. Downs if her sailings would be subject to the 250 passenger limit set by the CDC. Ms. Downs said that CLIA vessels do fall into that category, so the CDC passenger limits will apply to their vessels. She added that this was another high-priority concern for them to address to the CDC.

Mr. Jones thanked Ms. Downs, Mr. Blanchard, and Mr. Day for their time and for providing information on the future of cruise ship sailings in Juneau.

The Committee of the Whole took a break at 7:10p.m. and resumed at 7:20p.m.

E. Amend Assembly Rules of Procedure

Mr. Palmer explained that this resolution has not yet been introduced and this was the first time it has been brought to the Assembly. This resolution would begin the process of transitioning all CBJ meetings back to in-person meetings. The other primary change made to the Rules of Procedure was to allow for "remote" participation on Zoom or other platform remotely. He acknowledged some Assemblymembers' interest to allow for the general public to continue to participate telephonically during in-person meetings.

Ms. Hughes-Skandijs had a question about Rule 16-F, and asked for Mr. Palmer to clarify when someone's video camera has to be on, and when it is allowed to be turned off. She questioned the need for this level of specificity regarding someone's camera.

Mr. Palmer explained that the public cannot see an Assemblymember or a staff member if their camera is turned off, and said that this was included to allow for transparency for the public. He added that it is at the discretion of the Assembly to use that level of specificity or not.

Ms. Triem asked Ms. McEwen if there was any potential for hybrid options to include in-person and virtual attendees at future meetings. Clerk McEwen explained that hybrid options were indeed possible to a certain extent, and that at least one Assemblymember has already planned to participate in the next Assembly meeting via Zoom. She explained how both in-person and remote Assemblymembers will appear visually.

Mr. Smith asked Mr. Palmer if conducting these hybrid meetings would result in an additional cost for equipment and technological supplies. Mr. Palmer explained that CBJ staff has been working diligently to make the Assembly Chambers a technology-friendly location, and they will be able to adapt if needed.

There was a discussion about the technological aspects of a hybrid meeting and the positioning of the camera display. Clerk McEwen assured the Assembly that they will work to ensure that the Assemblymembers present in the Chambers are as visible as possible.

Ms. Hale expressed appreciation for the Clerk's Office and MIS staff for developing a hybrid option that allows Assemblymembers to return to the Assembly Chambers.

Ms. Triem asked Mr. Palmer why the Assembly Finance Committee was not listed under Rule 16-O. Mr. Palmer said that the AFC could be added to the list. Mr. Jones suggested removing the Committee of the Whole from the list. Ms. Gladziszewski commented that all of the Assembly Standing Committees should be on the list.

Mayor Weldon mentioned that the last paragraph encapsulates all of the committees mentioned, and that the Assembly would not need to make a lengthy list of committees to be included.

Ms. Gladziszewski said that she was not too concerned about which meetings were broadcasted, she would just appreciate it if they were posted online so people can see them and watch them at a later time. Mr. Jones added that this past year has seen an increase in public attention and participation in Assembly meetings, and he would like to encourage that. He also does not want to limit those with disabilities from testifying on an issue they care about because they are unable to visit the Assembly Chambers. Conducting meetings via Zoom has allowed for public testimony to be received telephonically, effectively changing that issue. Mr. Jones said that this ordinance would allow for the Assembly and their committees to have a set standard to follow when participating in a meeting telephonically.

Ms. Hale agreed that virtual Assembly meetings have allowed for increased public participation, and the way that the language is worded is sufficient.

Amendment #1 by Ms. Gladziszewski to amend Rule 16-O to list all the Assembly Standing Committees. PWFC, LHED, and AFC added to the rule. She added that any action taken for the Assembly meetings should be done for all ASC meetings.

Ms. Hale asked if this meant that Clerk McEwen would have to get all of the Assembly Standing Committee meetings on Facebook Live. Ms. Gladziszewski said that the kind of live broadcast would not matter, just as long as it is being broadcast and recorded somewhere. Ms. Hale said that she did not want to create extra work for the Clerks' Office to broadcast all ASC meetings, especially in the event that the meeting being broadcast – such as a PWFC meeting – did not generate any public interest or participation.

Objection by Mayor Weldon. She said that her objection was similar to Ms. Hale's, said that the difference between "must be live" and "should be live" results in extra work that is not needed.

Amendment A to Amendment #1 by Ms. Triem for the amendment to state "Assembly Standing Committees" rather than list each committee. *Hearing no objections, Amendment 1A passed by unanimous consent.*

There was a discussion about Clerk staffing and the effort it takes to broadcast each of the Assembly Standing Committee meetings.

Roll Call Vote on Amendment #1 as amended:

Ayes: Gladziszewski, Bryson, Triem, Smith, Jones, Hughes-Skandijs.

Nays: Hale, Woll, Mayor Weldon.

Motion passed. Six (6) Ayes, Three (3) Nays.

Amendment #2 by Ms. Gladziszewski Rule 16-O to change the language to add the word "recording" to two paragraphs.

Objection by Mayor Weldon for purposes of a question. She asked Clerk McEwen to clarify how much extra work this would put on the Clerks' Office. Ms. McEwen explained that it would involve the Clerks working with MIS staff to figure out how to record and save all meetings onto the CBJ server. Mayor Weldon removed her objection.

Mr. Jones asked Mr. Palmer if there was any legal obligation that required the City to record all public meetings. Mr. Palmer does not believe that there is a legal obligation that requires CBJ to record all public meetings, as the minutes are the final record of the meeting. He agreed with Ms. McEwen, saying that doing so would require them to adapt and find ways to make past audio recorded meetings easily accessible to the public. Ms. McEwen referenced a current resolution that governs the City's records retention policy for any recordings is set at three years.

Hearing no objections, the Amendment #2 was adopted by unanimous consent.

Amendment #3 by Ms. Hughes-Skandijs to add "Land Acknowledgement" to the Agenda following Flag Salute.

Objection by Mayor Weldon. She said that she was still working on the wording of the acknowledgement with Ms. Woll, and added that it is more complicated than expressing gratitude and acknowledgement.

Ms. Hughes-Skandijs appreciated Mayor Weldon's comments, and agreed that it is a complicated matter is not as simple as it may look. She asked the Assembly if they would be interested in bringing this item back for consideration once the wording had been solidified.

Ms. Hale shared that she would be interested in reviewing this further at a later point in time. Ms. Triem clarified that Ms. Hughes-Skandijs' amendment is not to decide on the specific wording to use for a land acknowledgement, but to codify a land acknowledgement within the agenda, which is something the Assembly can decide upon tonight.

Ms. Gladziszewski spoke in favor of adding a land acknowledgement to the agenda.

Mr. Bryson also spoke in favor of adding a land acknowledgement to the agenda, but also questioned the ability to discuss this at tonight's meeting. Mr. Palmer explained that the Assembly has broad discretion on amending any portion of the Assembly's rules of procedure at tonight's meeting.

Mayor Weldon said that she would like to continue informally including the land acknowledgment at this point until they work out the complex wording. Ms. Woll spoke to the ability the Assembly has to acknowledge the land they occupy in a way that works for them, while also expressing gratitude towards the original stewards of this land.

Mr. Jones said that he would be voting against this amendment, as he said he does not think the Assembly needs to do a land acknowledgement.

Ms. Hale clarified that she will be voting no, though she does feel that the Assembly should include a land acknowledgement in their agenda at a later time.

Roll Call Vote on Amendment #3

Ayes: Hughes-Skandijs, Woll, Smith, Triem, Bryson, Gladziszewski.

Nays: Hale, Jones, Mayor Weldon.

Motion passed. Six (6) Ayes, Three (3) Nays.

Amendment #4 by Ms. Gladziszewski to amend Rule 6-B by striking the clause following the semicolon, "...but if they do, they shall not have the power to vote on the board or commission, and are not to be counted as a determining member of a quorum if the board or commission is present."

Ms. Gladziszewski said that the clause implies that the liaison has more power than they actually have, and effectively muddies the role of liaison.

Ms. Hughes-Skandijs believed the clause helped clarify the role of liaison.

Ms. Triem agreed with Ms. Gladziszewski's comments and would like to further discuss the role of the liaison, although she would rather not have that discussion tonight.

Ms. Hale asked if Mr. Palmer could provide an explanation about the history of liaisons, and recalled a time in which liaisons were voting members of their committees in the past. Mr. Palmer said that he did not know the history of this issue. Ms. McEwen explained that this was included in the Rules of Procedure because there are some entities in which Assemblymembers are voting members. This clause was meant to provide clarity to those instances, since in most cases Assemblymembers are not voting members in their liaison positions.

Mr. Bryson spoke to his understanding of liaisons and their role as active participants in their committees, and suggested the Assembly discuss this at an HRC meeting to establish clearly defined roles for liaisons. Ms. Gladziszewski agreed with Mr. Bryson's comments and was open to having a discussion on the clause.

Objection by Mayor Weldon. She appreciated Ms. Gladziszewski's intent with the amendment, but agreed with Mr. Bryson and Ms. Triem on tabling this amendment for consideration at a later time.

Objection by Ms. Woll.

Roll Call Vote on Amendment #4:

Ayes: Gladziszewski.

Nays: Woll, Hughes-Skandijs, Bryson, Hale, Smith, Triem, Jones, Mayor Weldon.

Amendment #4 failed. One (1) Aye, Eight (8) Nays.

Mr. Bryson said that he would bring this topic to the next HRC meeting agenda for discussion. Ms. Gladziszewski mentioned Page 12 of the Resolution which states that no more than three Assemblymembers to contact the Clerk may participate remotely, and questioned the reason to have the number set at three. Mr. Palmer explained there is no legal issue with that number, as long as there is a quorum present. Mr. Jones mentioned that past Assembly(s) have preferred to have at least six Assemblymembers physically present in the room for motions that required at least a 6-3 vote.

MOTION by Mayor Weldon to move Resolution 2947 vCOW1 as amended to the full Assembly, and asked for unanimous consent. *Hearing no objections, the motion passed by unanimous consent.*

The Committee of the Whole to a break at 8:33p.m. and resumed at 8:40p.m.

D. Fireworks Regulations and Taxation

Mr. Palmer explained that the packet contained the ordinance the committee has been working on for the past few months, there were a few pages that contained potential amendments members had asked him to provide and there was a proposed map as well as chart comparing the types of fireworks and where they would fall under the ordinance. Other documents also included a new draft ordinance that clarified when fireworks sales would be exempt from sales tax.

Ms. Gladziszewski noted that she wished to withdraw the amendment she proposed which is referred to as “**Amendment 1**” on packet page 74. She said the reason she wished to withdraw that amendment was that it was that the purpose was to initially designate CBJ park land outside the fire service area to have the same status as other land. She felt it wasn’t right to only allow fireworks on other people’s land and not on CBJ land. However, she said that the way the Charter is written, only the Assembly can prohibit the use of fireworks. She said she found out that if the Assembly says yes you can have fireworks, then Eaglecrest can’t say no, they cannot be allowed during X or Y dates/times that only the Assembly can prohibit those dates/times.

Ms. Hale asked if Section 4(m) on the last page of the draft ordinance would prohibit firework usage on CBJ park lands. Mr. Palmer explained that it would prohibit firework usage, but added that there was another provision in Title 67 that currently prohibits the use of missiles in CBJ parks. He said that this amendment would clarify that all fireworks are prohibited, however, this would explicitly allow the Assembly to authorize firework usage by resolution.

Chair Jones asked who had proposed Amendment #2 which was found in the supplemental materials on page 74 of the online packet. Mayor Weldon noted that was an amendment that she is proposing. She said that while they have worked on this ordinance in great depth this spring, she didn’t think that it was ready enough at this point to meet everyone’s compromises and she was concerned that it might not be able to be introduced in time for action by the May meeting date so it would be able to be in effect by July 3. Mayor Weldon summarized her Amendment #2 as follows correlates to the draft ordinance at packet page 36.

Amendment #2 by Mayor Weldon to strike 36.80.020(b): *Firework Prohibitions and Exceptions* 1, 2, and 3 and replacing it with the language provided by Mr. Palmer (packet pages 74-76)

She also wished to lessen the hours featured on the Holiday Chart:

December 31st – 6:00pm to 12:00am; January 1st – 12:00am to 1:00am;

July 3rd – 6:00pm to 12:00am; July 4 – 12:00am to 1:00am, and 6:00pm to 12:00pm.

Mayor Weldon clarified that this would allow the use of all fireworks in the neighborhoods, including concussive fireworks. She said that she did not think the ordinance as drafted would be able to pass in time for the May 24 meeting for adoption. Ms. Hale asked if this amendment allowed concussive fireworks in the neighborhoods. Mayor Weldon confirmed that this amendment would allow for concussive fireworks usage in neighborhoods. She clarified that she would like to remove concussive fireworks out of the neighborhood prior to July 4, 2021, but

considering the amount of time it has taken to work on this ordinance, she does not think that the Assembly will have something decided before the holiday. She said that she felt sections 1, 2, and 3 were too confusing and would be too confusing for JPD enforcement and for the public to follow. Her intention with this amendment is to have an ordinance on the books in time for the holiday and then continue to work on it after the holiday to fine tune things.

Objection by Ms. Hale.

Objection by Mr. Bryson. Mr. Bryson said that he felt like the Assembly had almost brought the firework discussion to completion, and spoke to the amount of community complaints they received that specifically mentioned concussive fireworks.

Amendment A by Ms. Gladziszewski to separating Part 1 and Part 2 and allow the Assembly to vote on each issue separately.

Ms. Gladziszewski explained that what is currently written is better than this amendment, and that she did not agree with Part 1 of the amendment.

Mr. Jones asked Mr. Palmer if her Amendment A to divide the question was in order. Mr. Palmer said that it was in order and they could vote on whether or not to divide the question. Mr. Jones clarified that the motion before the body was to divide the question with Part 1 being starting with “36.80.020 Fireworks prohibition and exceptions” and Part 2 starting with “36.80.070 Definitions.” Mr. Jones asked if there were any objection to dividing the question in this manner.

Objection by Mr. Smith. Mr. Smith explained that he was not in favor of restricting the hours of fireworks use, and would rather save time by voting against the entire motion.

Objection by Mayor Weldon to dividing the question as she wouldn’t want to vote for the second part if the first part didn’t pass.

Roll Call Vote on Amendment A to Amendment #2:

Ayes: Gladziszewski, Hughes-Skandijs.

Nays: Woll, Smith, Triem, Bryson, Hale, Jones, Mayor Weldon.

Motion failed. Two (2) Ayes, Seven (7) Nays.

Mr. Smith said he still objects to Amendment #2.

Ms. Hughes-Skandijs appreciated the intent of the amendment, saying it was evident by the continuous amendments the average person picking this up may have a hard time understanding what they are proposing. That said, she also acknowledged the amount of work that has gone into identifying the problems and trying to solve the issues and coming up with a solution that while it may not be perfect, it is a good start.

Ms. Hale noted that the average person won't be looking to read the full text of the ordinance but will be looking to the Assembly and staff to have posters similar to what have been created in the past to provide a clear outline of what the rules are related to this ordinance.

Objection by Ms. Gladziszewski. She said that the current draft of the ordinance was better than this amendment, and the Assembly would be able to pass this current draft version which would prevent concussive fireworks from happening within the neighborhoods.

Ms. Woll agreed with Ms. Hughes-Skandijs' comments of the ordinance being confusing to the public. She said that it isn't just that clarity is needed when writing the guidelines, clarity is also needed when the ordinance comes before the Assembly for the public to be able to comment upon.

Roll Call Vote on Amendment #2:

Ayes: Mayor Weldon, Jones.

Nays: Triem, Smith, Hale, Gladziszewski, Hughes-Skandijs, Bryson, Woll.

Motion failed. Two (2) Ayes, Seven (7) Nays.

Amendment #3 by Ms. Gladziszewski to move the hours in the chart under Amendment #2 "36.80.070 Definitions."

Objection by Mr. Smith. Mr. Smith felt that the Assembly was excessively restricting fireworks, and they should focus on getting the large, loud fireworks outside of the fire service area.

Ms. Woll asked for clarification as to how this is different from what was allowed in past years. Mr. Jones clarified that the chart showing the strikethrough and the replacement text compare previous years to this year and would reduce the number of hours from 14 hours on each of the days to 6 hours per day if the amendment is adopted.

Roll Call Vote on Amendment #3:

Ayes: Gladziszewski, Hughes-Skandijs, Bryson, Jones.

Nays: Woll, Smith, Triem, Hale, Mayor Weldon.

Motion failed. Four (4) Ayes, Five (5) Nays.

Mr. Jones asked Mr. Palmer if this ordinance had already been introduced, or if it will be set for introduction at the May 24 Regular Assembly meeting. Mr. Palmer clarified if this ordinance were to pass out of tonight's COW meeting, it would be introduced at the May 12 Special Assembly Meeting, and set for public hearing on May 24.

Ms. Woll asked if they were to give direction about allowing certain fireworks on CBJ lands via resolution, if a resolution could be brought back before the Assembly at the meeting of May 24 and have it be in effect prior to July 3rd/4th. Mr. Palmer said yes, that was possible. He explained that the big difference between a resolution and an ordinance is that a resolution can be effective

immediately but an ordinance is not effective until 30-days after adoption. He said they could take up a resolution at either the May 24 or the June 14 meetings.

MOTION by Mr. Smith to introduce Ordinance 2021-03 vCOW3, as amended, at the May 12 Special Assembly meeting, and set for public hearing at the May 24 Regular Assembly meeting.

Objection by Mr. Jones and by Mayor Weldon. Mayor Weldon said that the ordinance as written will be confusing to the public, to the Assembly, and to the police officers who try to enforce it. She added that there are different regulations for different types of fireworks, which may lead to those not experienced in firework usage being unable to tell the difference between them.

Mr. Smith believed that the City could be able to communicate the necessary details to the public in a digestible manner, and said that this was a good compromise.

Ms. Hale asked Mr. Watt if the Assembly could provide a handout guide to the ordinance at the May 24 meeting so that the attending public can have a more thorough understanding on the ordinance before commenting. Mr. Watt confirmed that they could provide information to the public for that purpose.

Mr. Bryson spoke to the effectiveness of the flyer explaining the fireworks ordinance, and added that this ordinance had been resolved by simply removing large mortars from the fire service area.

Objection by Mr. Jones. Mr. Jones said that the only enforceable method would be a complete ban on fireworks. He felt that the Assembly has complicated this issue by confusing the public, burdening the Assembly, and making it difficult for the police to enforce this ordinance. Mr. Jones added that no one will pay attention to the flyer, they will shoot off whatever fireworks they wish and hope that the police officers are preoccupied.

Roll Call Vote on Motion:

Ayes: Smith, Woll, Hughes-Skandijs, Triem, Hale, Bryson, Gladziszewski.

Nays: Jones, Mayor Weldon.

Motion passed. Seven (7) Ayes, Two (2) Nays.

Mr. Jones noted that he had asked the City Attorney to draft up the final ordinance found in the packet, Ordinance 2021-18 “*An Ordinance Regarding Taxing the Sale of Fireworks.*” He said that it basically sets up that fireworks is not exempt from sales tax for any reason. Anyone that sales fireworks within the City and Borough of Juneau must pay sales tax. He is looking for an up or down to move this ordinance to the Assembly for introduction and public hearing.

MOTION by Ms. Hughes-Skandijs for the Assembly to move Ordinance 2021-18 to the full Assembly for introduction.

Objection by Mr. Smith for the purpose of a question. He said as he is thinking of this, he is thinking that Tlingit Haida Central Council may want to sell fireworks again and he asked if the only reason THCC does not pay sales tax is due to their exemption status. Mr. Palmer explained that due to confidentiality issues, it bars him from speaking about one vendor in particular and or a small group of vendors, but he said that generally, if this motion were to pass, he said the Law Department and Finance Departments would do their best to enforce it as best as they could. Mr. Smith said he would not vote to stop its introduction but he will have a number of questions prior to final Assembly action.

Ms. Hale asked Mr. Palmer if CBJ has the authority to assess sales tax on a business that is located on a Native allotment. Mr. Palmer said that is a complicated and technical question that relates to the conditions of the property lease. Ms. Hale asked Mr. Jones if it was his intent that this ordinance would be introduced at the May 12 meeting. Mr. Jones said that he wasn't aware of the May 12 Special Meeting until the fireworks discussion tonight but he would be OK with it being introduced at that meeting. He said that since the fireworks ordinance is moving forward, it is going to impact the entire community of Juneau, no matter what happens, they need to collect the sales tax that impacts the CBJ public safety response to fireworks. He wanted to make sure firework sales were not exempt from sales tax. He said that when they had a senior citizens sales tax exemption for restaurant meals, they would exempt the meal but the seniors still had to pay the alcohol taxes on any alcohol that may have been purchased with that meal. He compared this ordinance to that same type of exemption/collection requirements. No matter what an entity's other sales tax status is, under this ordinance, if you sale fireworks, you will collect and remit sales tax on those sales.

Mayor Weldon asked Mr. Palmer to clarify that the only change being made to this existing ordinance is the addition of fireworks sales. Mr. Palmer confirmed that was correct.

Ms. Woll asked if this ordinance were to pass, someone, who isn't a tribe, would still have to charge and collect sales tax. Mr. Palmer said that would depend. He noted that there are certain types of exemptions that do not require non-profits to collecting sales tax, as well as any tribal exemptions. He said that depending on how the fireworks vendor was formed, they may or may not be required to collect and remit sales tax.

Mr. Jones asked if there were any objections to forwarding this ordinance to the Assembly. Ms. Woll objected.

Mr. Jones asked the Clerk to call for the vote.

Clarification was requested on whether this was to be introduced at the May 12 Special Assembly meeting. Ms. Hughes-Skandijs noted that her motion did not specify when it was to be introduced.

Amendment #1 by Ms. Gladziszewski to introduce Ordinance 2021-18 at the May 12 Special Assembly meeting and put it on the same timeline as Ordinance 2021-03 vCOW3.

Objection by Ms. Hale. She said that this ordinance was just dropped in their lap and they have not had much time to discuss this ordinance and she would like more time for the Assembly to discuss and consider it.

Ms. Gladziszewski removed her amendment.

Roll Call Vote on Motion to forward Ordinance 2021-18 for introduction:

Ayes: Hughes-Skandijs, Smith, Bryson, Triem, Gladziszewski, Jones, Mayor Weldon.

Nays: Woll, Hale.

Motion passed. Seven (7) Ayes, Two (2) Nays.

Mr. Jones asked for any final comments. He reminded members that there is a Finance Committee meeting scheduled for Wednesday, May 12. Ms. McEwen noted that the Special Assembly meeting will be held starting at 5:30p.m. on Wednesday, May 12 immediately followed by the Assembly Finance Committee meeting and the Zoom link/information will be the same for both meetings.

VI. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 9:32p.m.

Minutes drafted by Administrative Assistant Lacey Davis and respectfully submitted by Municipal Clerk Beth McEwen this 19th day of July, 2021.



City and Borough of Juneau
City & Borough Manager's Office
155 South Seward Street
Juneau, Alaska 99801
Telephone: 586-5240 | Facsimile: 586-5385

TO: Deputy Mayor Jones and Assembly
DATE: July 14, 2021
FROM: Rorie Watt, City Manager
RE: Tourism/VITF Topics

There are numerous tourism topics for CBJ to work on. We had good momentum last year with the VITF public process and report, but then.... COVID. For discussion and/or direction tonight:

Tourism Survey Method

The Assembly provided funding in this year's budget for a survey of the Juneau public regarding impacts of tourism. The CBJ has issued an RFP for consultant services to create, host and report on the findings. The survey will focus questions to gauge public perception on tourism impacts in the community and the proposed NCL dock at the subport. Questions will be based on previous surveys issued in the 90's and early 2000's on tourism impact (attached). The survey will have two parts, a statistically valid survey and an online survey that is available to the entire community. The survey is planned for early fall. An RFP recently resulted in the selection of McKinley Research (formerly McDowell group) to perform survey services for CBJ.

VITF Implementation

A draft implementation schedule is attached. Staff are working with CLIAA and member lines on a first phase MOA that implements some of the VITF recommendations.

Tourism Manager – Draft Duties. A memorandum on this topic is attached.

Annual Calendar of Tourism Engagement

CBJ has traditionally worked on tourism topics in an ad hoc manner. Below is a proposed schedule of tourism related actions. The goal is to identify and work on tourism issues in a timely manner.

September – Annual Community Tourism Survey

October – Annual meeting with CLIA (per litigation settlement)

Note: In practice, we talk frequently. The settlement calls for a formal annual meeting which is good practice as well.

November – Public Survey Results

November – Assembly Retreat, CBJ goal setting

December/January – Public Comment on Passenger Fee expenditure

January/February – Draft Passenger Fee expenditure plan

March to June – CBJ Budget process

May – Start of traditional tourism season

Not Listed: Quarterly Cruise Ship Schedule Updates
Cruise Ship Schedule future years

ONGOING PROJECTS

- Support development that alleviates pressure on existing infrastructure (CBJ)
- Complete development of the seawalk (CBJ)
- Take a more active role in ship scheduling (CBJ, CLAA)
- Promote efficient ship scheduling to manage congestion (CBJ, CLAA)
- Support cultural tourism and Native Art in public spaces (CBJ, industry)
- Continue to operate TBMP over the long-term with peer pressure model for compliance (TBMP, industry)
- Maintain and develop trails (Trail Mix, AK State Parks, USFS, CBJ)
- Prioritize dock electrification and continue to work with utility to monitor capacity (AEL&P, CBJ)
- Monitor water, wastewater, air quality (CBJ, AKDNR)
- Develop marketing campaigns to promote local businesses, encourage cruise lines to support (Travel Juneau, industry, CBJ)
- Complete a public survey on visitor impacts annually (CBJ)
- Limit water usage by ships in times of drought (CLAA, CBJ)
- Research and develop efforts to move people on and off the right-of-way including electric ferries, seawalk extension, connections to seawalk and other pedestrian routes (CBJ)

2021

- Establish a City & Borough tourism management office (CBJ)
- Finish and implement Blueprint Downtown (CBJ)
- Limit Parks & Recreation commercial use permits to manage the impacts on parks and trails (CBJ)
- No cruise ships of any size in Auke Bay (CBJ)
- Research how other US communities have identified limitations on visitor numbers (CBJ)
- Focus pedestrian flow to crosswalks and desired destinations (CBJ + TBMP)
- Require all commercial use permittees to be TBMP (and WhaleSENSE if applicable) members in good standing
- Strategically assign ship berths based on ship size
- Release ship schedules and passenger counts 2 years in advance or upon creation
- Cruise lines will review last-minute schedule changes for weather, etc. with CBJ for community impact
- Limit expansion of downtown dock infrastructure to allow for no more than one larger (750+ passengers) ship (CBJ, USCG)
- Stagger ship arrival times by 30 minutes (CLAA)
- Incentivize environmental best management practices through local award programs (Travel Juneau, CBJ/JCOS, Chamber)
- Prohibit ship waste in landfill (CLAA, CLIA, CBJ)
- Recognize businesses participating in "Adventure Green Alaska" program

2022

- Determine community goals and implement an action plan. For example: emissions, shore power, congestion mitigation, and develop (CBJ)
- Research and implement permitting system for whale watching operators (CBJ, NOAA, WhaleSENSE)
- Prohibit larger ships anchoring and/or lightering in the channel if an additional dock is constructed (CBJ, USCG)
- Periodically update commercial use fees (CBJ)
- Assess tour permitting for streets and sidewalks and develop regulations if feasible (CBJ)
- Improve pedestrian access between seawalk and South Franklin (CBJ)
- Implement transportation improvements downtown (TBMP, AKDOT, CBJ)
- Analyze the effects of hot berthing (CBJ)
- Require assignment of shore power configured ships to electrified docks (CBJ, CLAA)
- Negotiate with cruise lines to "get the peak out of the week" so number of visitors is spread more evenly (CLIA, CBJ, TBMP)

2023

- Develop regulations to reduce speed and wakes from whale watching vessels in Auke Bay and impacted areas (CBJ, NOAA)
- Encourage and incentivize electrification of tourism vehicles (CBJ)
- Plan and analyze the impacts tourism activities in areas outside of downtown development and regulate where appropriate (TBMP, CBJ)
- If Norwegian Cruise Lines dock is operational, prohibit hot berthing as a scheduled practice (CLAA, CLIA)
- Negotiate a formal agreement by 2023 to limit port capacity to 5 large ships per day (CBJ, CLIA)
- Incentivize Juneau as a turn port for smaller ships (Travel Juneau, CBJ)
- Consider staging areas outside downtown and deliveries made to downtown businesses outside of port call hours (CBJ, TBMP)





City and Borough of Juneau
City & Borough Manager's Office
155 South Seward Street
Juneau, Alaska 99801
Telephone: 586-5240 | Facsimile: 586-5385

TO: Deputy Mayor Jones and Assembly
DATE: June 28, 2021
FROM: Rorie Watt, City Manager
RE: Tourism Manager Duties

The first recommendation of the Visitor Industry Task Force (VITF) is that the:

CBJ should establish a centralized tourism management function funded by CBJ with full-time staff to guide implementation of the 2002 Tourism Management Plan (TMP) where applicable. The TMP provides an example of this could function.

This recommendation (and others) stem from a recognition that implementing the VITF's recommendations will require time, focus and coordination by a new CBJ staff position with the capacity and authority to collaborate with internal and external stakeholders, make decisions, and proactively advance community goals related to tourism. This position would coordinate diverse activities and entities involved in public outreach, cruise scheduling, planning, permitting, infrastructure development, operations and maintenance, monitoring and reporting, and enforcement. The entities involved span from local and international businesses, non-profit organizations such as Travel Juneau and TBMP, government agencies such as ADEC and CBJ, and the public. Creating this position ensures that CBJ will take a more central role in managing outcomes and collaborating with the various active players in the community.

The creation of a position to work with many external and internal groups is challenging from a structural standpoint. In order to be successful, this position needs the authority to work independently across the organization and community. Initially (at least), it would be prudent to have this position work directly with and report to the City Manager as the initial steps of formalizing relationships begins. As the recommendations in the VITF report are implemented, the overall CBJ departmental organization (related to this position and other services related to tourism and the waterfront) should be evaluated.

The scope of a tourism manager position at CBJ would include the following:

1. Lead public process and the Assembly to inform long-term decision making on tourism related issues.
2. Partner with internal and external tourism entities to accomplish tasks and recognize that in the future structural change may be needed for efficient management that is beneficial to the public.
3. Collaborate with external and internal CBJ entities to evaluate impacts from tourism across the community and plan development and operations to mitigate these impacts.

4. Work to formalize relationships with the cruise ship companies and lead the Assembly through the process to establish MOU's, contracts or other agreement types. This effort may take more than a year.
5. Negotiate and approve cruise ship scheduling proposed by CLIA and lead discussion on use and allocation of cruise ship passenger fees.
6. Integrate implementation of the VITF report, Blueprint Downtown, and the Tourism Management Plan.
7. Link cruise ship travel and destination travel issues, development and management.
8. Serve as a central point of contact for tourism-related projects and issues.

Implicit in this overall approach to the scope, duties and authority of the tourism manager position is that the scheduling of cruise ship docks will fall under this position and therefore under the Manager. In current practice, Docks and Harbors has received scheduling information from the industry. I strongly recommend this change as CBJ needs to push aggressively for community values such as efficient management of traffic through downtown to reduce congestion. Without this change, it will continue to be very difficult to achieve community goals (with regard to the cruise ship industry) if the dock scheduling is not linked to these goals. What happens now is that the industry self-schedules and then once the schedule is set, the lines are willing to engage in community goals (because now they know that they have secured berthing). Under this proposed restructuring, CBJ will have more leverage to secure commitments from the cruise industry to achieve community goals while scheduling the docks.

Recommendation:

The Assembly should discuss these concepts and accept the recommendation of the VITF and fund the position.

.....

Links:

Visitor Industry Task Force webpage and final report:

<https://juneau.org/assembly/visitor-industry-task-force>

Tourism Management Plan:

https://juneau.org/wp-content/uploads/2017/03/final_draft_plan_as_printed.pdf

JUNEAU TOURISM COMMUNITY OPINION SURVEY 2006

***PREPARED FOR:
City and Borough of Juneau***



Research-Based Consulting

Juneau
Anchorage
Kodiak

November 2006

JUNEAU TOURISM COMMUNITY OPINION SURVEY 2006

PREPARED FOR:

CITY AND BOROUGH OF JUNEAU

PREPARED BY:



NOVEMBER 2006

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EXECUTIVE SUMMARY

In October of 2006, the City and Borough of Juneau contracted with the McDowell Group to conduct the *Juneau Tourism Community Opinion Survey*, the fourth in a series of household surveys regarding tourism and associated impacts. In 2006, the telephone survey included 508 households. Statistical integrity was achieved through controlled sample selection, weighting, and the use of random-digit-dial methodology (which ensures that listed and unlisted households were included).

The purpose of the survey is to have an understanding of residents' current opinions about tourism impacts, and to detect changes in residents' opinions over time. Information provided in this survey is crucial to making prudent management and policy decisions that affect Juneau. It is important to note that since the inception of this survey series in 1995, total Juneau summer visitor arrivals have doubled from half a million summer visitor arrivals (including cruise, air, and ferry passengers) to slightly more than 1,000,000 summer visitors in 2006.

Survey content was similar to surveys conducted by the McDowell Group in 1995, 1998 and 2002. New questions have been added, and some questions modified, as changes in the industry and community warranted. However, the core survey has remained largely intact since 1995.

Juneau residents were asked about the impacts of tourism on their household and their views about various tourism management issues. Additionally, residents were asked about their age, employment, and the areas they lived and worked, allowing more detailed analysis of the survey data.

Key survey findings are presented below.

Consistent with prior year results, nearly half of all residents felt the tourism industry paid its fair share—or more—for services used by visitors.

- More than four out of ten residents (42 percent) felt the tourism industry pays “its fair share” and 6 percent felt that the tourism industry pays “more than it’s fair share.”
- The percentage of residents that believe the tourism industry pays “less than its fair share” has increased from 28 percent in 1995 to 37 percent in 2006.
- Fifteen percent of residents expressed no opinion on tourism industry support for services, down from 27 percent in 1995.

Tourism Industry Support for Service

	2006	2002	1998	1995
More than its fair share	6%	6%	7%	6%
Its fair share	42	42	41	39
Less than its fair share	37	36	33	28
Don't know	15	14	19	27

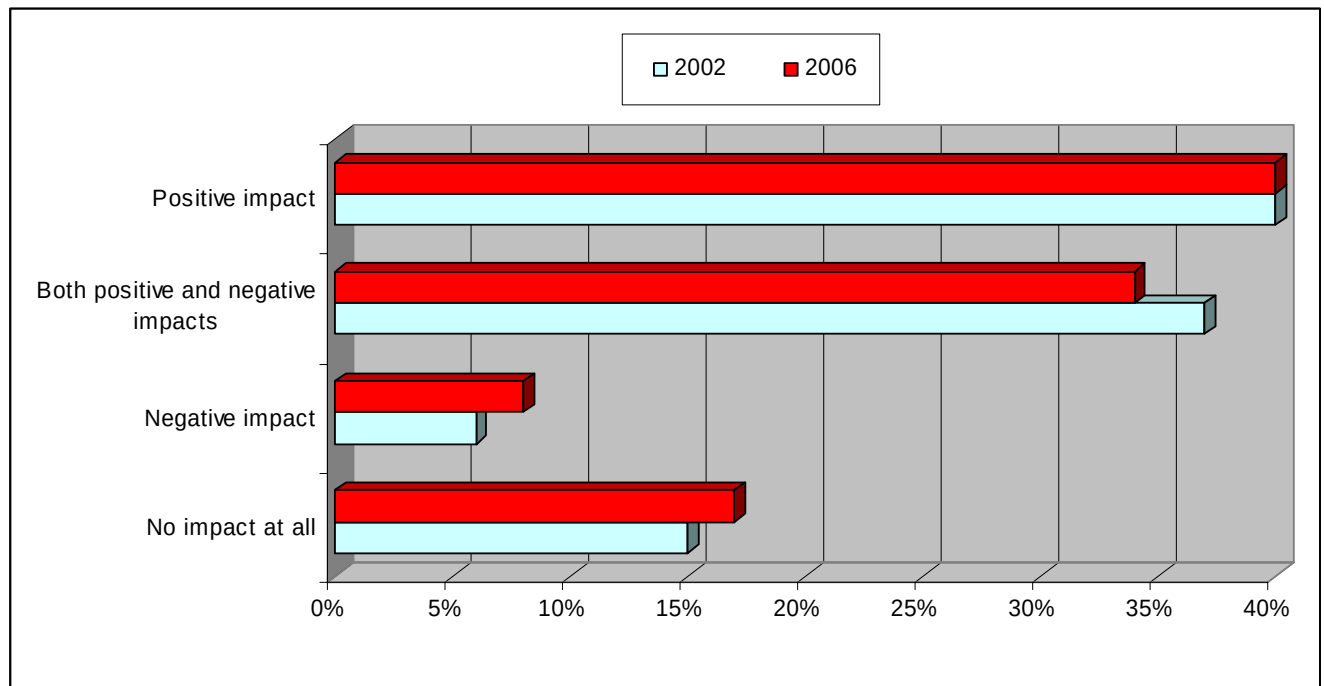
The percentage of Juneau residents who felt that the tourism industry had an overall positive impact on their household remained stable at 40 percent.

- The percentage of residents who felt that tourism had a negative impact on their household increased slightly from 6 percent in 2002 to 8 percent in 2006.
- There has been a decline since 1998 in the number of residents who said there are both positive and negative impacts on their household.

Overall Tourism Impacts on Juneau Households

	2006	2002	1998	1995
Positive impact	40%	40%	29%	34%
Both positive and negative impacts	34	37	43	37
Negative impact	8	6	10	8
No impact at all	17	15	16	19
Not sure	1	1	1	2

Overall Impact Trends



Foot traffic congestion and vehicle congestion were the leading tourism-related impacts, followed by helicopter noise.

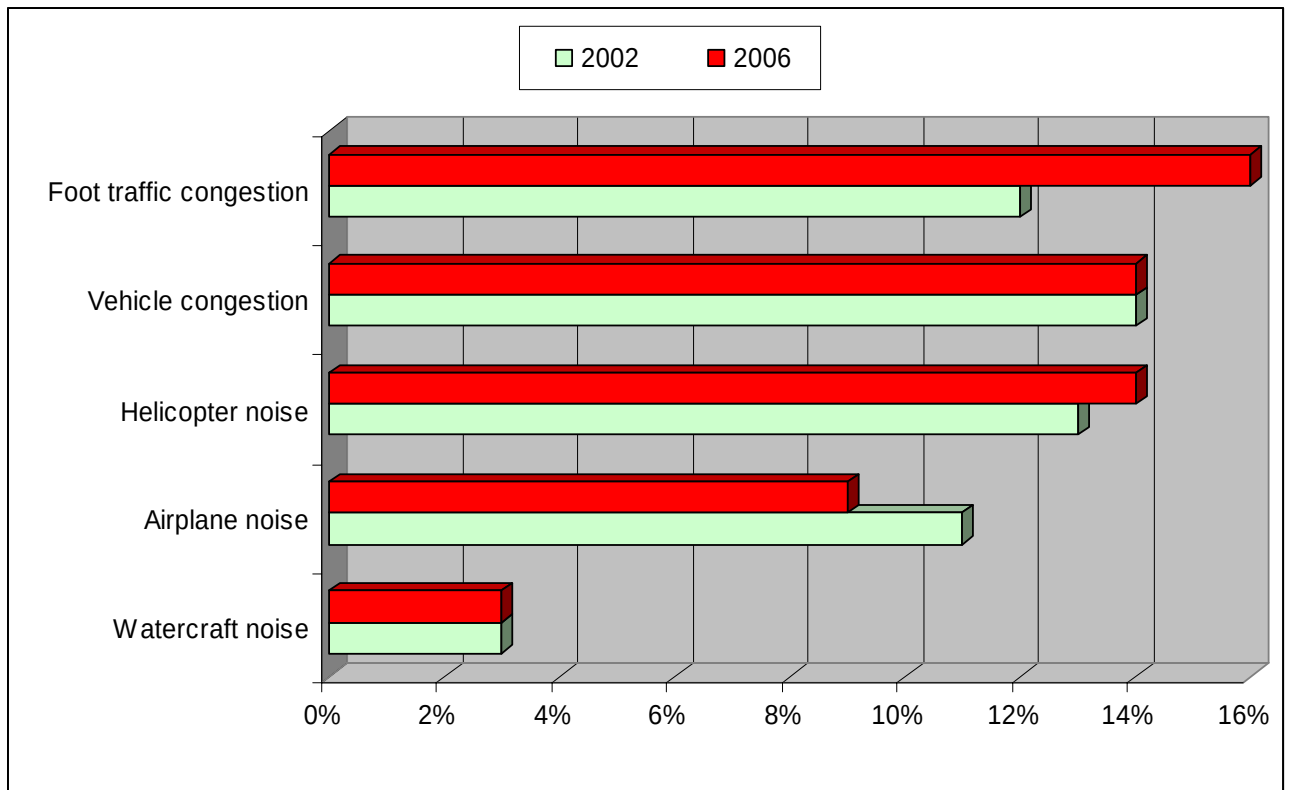
- One-third of Juneau residents reported they were “affected” or “very affected” by foot traffic congestion while 31 percent said they were “affected” or “very affected” by vehicle congestion.
- Traffic congestion has increased since 2002, when 26 percent of respondents were affected by vehicle congestion and 23 percent were affected by foot traffic.
- The percentage of residents “very affected” by helicopter noise increased slightly, while the percentage of residents “very affected” by airplane noise decreased slightly since 2002.

2006 Individual Impacts on Juneau Households

	Very Affected	Affected	Somewhat Affected	Not at all Affected
Foot traffic congestion	16%	17%	23%	44%
Vehicle congestion	14	17	30	38
Helicopter noise	14	9	23	53
Airplane noise	9	8	18	65
Watercraft noise	3	4	14	78

Individual Impact Trend

Percentage responding “very affected”



Nearly half of Juneau residents believe that the City and Borough is not doing enough to manage the impacts of tourism.

- The percentage of residents who felt that the CBJ is not doing enough fell from 52 percent in 2002 to 47 percent in 2006.
- Thirty-six percent of residents felt that the City and Borough was doing “just the right amount” to manage the impacts of tourism.
- The percentage of Juneau residents who felt that the CBJ was doing “more than enough” increased slightly since 2002.

CBJ Management of Tourism Impacts

	2006	2002
Not enough	47%	52%
Just the right amount	36	34
More than enough	9	6
Don't know	8	7

INTRODUCTION AND METHODOLOGY

Introduction

The *Juneau Tourism Community Opinion Survey* series is designed to identify residents' opinions about tourism-related impacts, as well as monitor community effectiveness in mitigating negative impacts. The information gathered in this survey series has been used by the tourism industry and community representatives to address residents' concerns.

Juneau Cruise Visitor Volume

Year	Passengers
2006	951,400
2002	739,800
1998	568,500
1995	380,600

Source: Cruise Line Agencies of Alaska

It is important to view survey results in light of changes in visitor volume and infrastructure. Juneau's visitor industry has grown rapidly since the survey series began in 1995. Cruise visitor volume more than doubled between 1995 and 2006. In addition, an estimated 100,000 air and ferry passengers visit Juneau each summer. Visitor-related infrastructure development since 1995 includes the South Franklin Dock, the AJ Dock, the Seadrome Marine Complex, and the redevelopment of Marine Park. During the same time period, visitor industry businesses developed the *Tourism Best Management Practices* program to minimize neighborhood impacts from tour operators.

Juneau residents have consistently reported that they recognize both positive and negative impacts from the industry. Positive impacts may include job and wage growth, increased business activity, increased municipal tax collections, and an increase in property values. Negative impacts may include crowding of downtown sidewalks, traffic congestion, aircraft noise, smoke emissions, and increased visitor activity in neighborhoods and on trails.

This survey is a valuable and statistically reliable compilation of residents' opinions about these important and complex issues.

Methodology

The telephone survey included 508 randomly selected Juneau households using a random-digit-dial method, which ensures inclusion of both listed and unlisted households. The survey was fielded between October 11 and 20. Calls were made during daytime, evening, and weekend hours to allow participation from a wide array of Juneau residents.

To ensure compatibility with the results from previous surveys, similar sample selection methods, telephone interview protocols, and survey language were used. Data was closely monitored and weighed so respondents' age, gender and residential neighborhoods were proportionally represented. The maximum margin of error at the 95 percent confidence level is ± 4.5 percent.

The survey instrument was designed by McDowell Group, with review and input from City and Borough of Juneau staff and Assembly members. A copy of the survey is included in the report appendix.

VISITOR INDUSTRY IMPACTS

Resident Perception of Tourism Impacts

Four out of ten Juneau residents felt that the current level of tourism in Juneau has a positive impact, while one-third felt there are both positive and negative impacts.

- In 2006, the percentage of residents who felt that tourism has a positive impact on their household remained stable at 40 percent.
- The percentage of residents who felt tourism has a negative impact on their household has remained similar since 1995.
- One-half of North Douglas residents reported that tourism has a positive impact on their household.
- Douglas/West Juneau residents were the least likely to report positive impacts on their household (25 percent).
- Downtown Juneau/Thane residents were the most likely to feel that tourism had a negative impact on their household (14 percent).
- Residents age 18-34 were less likely to feel that tourism negatively impacted their household (3 percent).

Considering the costs and benefits of tourism, do you feel that the current level of tourism in Juneau has a positive impact, negative impact, both negative and positive impacts, or no impact at all on your household?

	2006	2002	1998	1995
Positive impact	40%	40%	29%	34%
Negative impact	8	6	10	8
Both positive and negative impacts	34	37	43	37
No impact at all	17	15	16	19
Not sure	1	1	1	2

Among respondents who cited both positive and negative impacts on their household from tourism, nearly half felt that the benefits outweigh costs.

- In contrast, nearly one-third (32 percent) of residents felt that the costs of tourism outweigh the benefits.
- Six of ten Downtown Juneau/Thane residents felt that the costs of tourism outweigh benefits.
- One-half of all residents 55 years of age and older felt that the costs of tourism outweigh benefits.
- Sixty percent of residents employed in tourism felt that the benefits outweigh costs.

For those who answered “both positive and negative impacts”: Do you feel that the costs outweigh the benefits or the benefits outweigh the costs?

	2006	2002	1998
The benefits outweigh the costs	47%	46%	45%
The costs outweigh the benefits	32	29	32
Neutral	14	16	16
Don't know	7	8	6

Tourism Impacts on Household

The leading impacts were foot traffic and vehicle congestion.

- One-third of Juneau residents reported they were “affected” or “very affected” by foot traffic congestion while (31 percent) were “affected” or “very affected” by vehicle congestion.
- Congestion increased since 2002, when 26 percent of respondents were “affected” or “very affected” by vehicle congestion and 23 percent were “affected” or “very affected” by foot traffic.
- Helicopter noise affected 23 percent of all residents, with 14 percent stating there were “very affected.”
- A majority of households are “not at all affected” by watercraft (78 percent), airplane (65 percent), or helicopter noise (53 percent).

For each of the following tourism-related impacts, would you say your household is very affected, affected, somewhat affected or not at all affected?

	Very Affected	Affected	Somewhat Affected	Not at all Affected
Foot traffic congestion	16%	17%	23%	44%
Vehicle congestion	14	17	30	38
Helicopter noise	14	9	23	53
Airplane noise	9	8	18	65
Watercraft noise	3	4	14	78

- The percentage of respondents who reported being “very affected” by foot traffic increased from 12 percent in 2002 to 16 percent in 2006.

Juneau Tourism Impacts Trend

Percentage responding “very affected”

	2006	2002
Foot traffic congestion	16%	12%
Vehicle congestion	14	14
Helicopter noise	14	13
Airplane noise	9	11
Watercraft noise	3	3

Comparison of Tourism Impacts by Neighborhood

Downtown Juneau/Thane and Douglas/West Juneau reported the highest levels of impacts from foot traffic and vehicle congestion while the mid-town neighborhoods and North Douglas reported the highest level of impacts from helicopter noise.

- Downtown Juneau/Thane reported a higher level of “affected” or “very affected” (41 percent) than in 2002 (32 percent) for impacts related to vehicle congestion.
- The percentage of Douglas/West Juneau residents who were “affected” or “very affected” by vehicle traffic more than doubled from 2002 to 2006 (20 percent to 41 percent).
- More than one-half of Downtown Juneau/Thane residents stated they were “affected” or “very affected” by foot traffic congestion.
- There was a decline from 2002 to 2006 in the percentage of Douglas/West Juneau residents who were “affected” or “very affected” by airplane noise (30 percent vs. 18 percent) and helicopter noise (25 percent vs. 14 percent).
- There was an increase in the percentage of North Douglas residents who were “affected” or “very affected” by airplane noise (26 percent vs. 37 percent) and helicopter noise (26 percent vs. 43 percent).

For each of the following tourism-related impacts, would you say your household is very affected, affected, somewhat affected or not at all affected?
Percentage responding “affected” or “very affected”

	Downtown/ Thane n=68	Douglas/ W. Juneau n=55	Salmon, Lemon, Switzer Creek n=63	East Mendenhall Valley n=179	North Douglas n=29	W. Mend’hall Valley/ Out the road n=113
Foot traffic congestion	53%	31%	32%	28%	16%	32%
Vehicle congestion	41	41	32	25	28	29
Airplane noise	22	18	18	11	37	18
Helicopter noise	17	14	34	18	43	27
Watercraft noise	11	11	3	2	6	14

Comparison of Impacts to Prior Year

Many residents felt there were noticeable changes between 2005 and 2006 when asked to compare the effects of various tourism impacts.

- Areas in which residents did notice increased tourism impacts include the following: 34 percent noticed an increase in bus/taxi congestion downtown, 34 percent noticed an increase in crowd levels, and 28 percent noticed an increase in guided groups on hiking trails.
- Residents who work in tourism (40 percent) and those 18-34 years old (39 percent) were more likely than other residents to notice an increase in bus and taxi congestion downtown.
- One out of ten residents noted that cruise emissions, floatplane noise, and helicopter noise were “somewhat” or “very reduced” compared to 2005.

Comparing this past summer to the summer of 2005, did you notice if the following impacts were very reduced, somewhat reduced, unchanged, somewhat increased or very increased for...

	Very Increased	Somewhat Increased	No Change	Somewhat Reduced	Very Reduced	Don't Know/ Didn't Notice
Bus/taxi congestion downtown	10%	24%	41%	6%	0%	19%
Crowd levels	9	24	47	5	1	13
Guided groups of visitors on trails	7	21	38	3	<1	31
Helicopter noise	6	12	57	10	1	15
Busses and taxis in neighborhoods	4	16	56	3	<1	21
Smoke emissions from cruise ships	3	9	47	11	2	29
Floatplane noise	2	8	55	9	3	22
Cruise ship noise	1	5	61	4	2	28

Comparison of Impacts to Prior Year, by Neighborhood

Residents of Downtown Juneau/Thane, Douglas/West Juneau and Salmon Creek/Lemon Creek/Switzer Creek were more likely to report increased tourism impacts than Valley residents.

- Salmon Creek/Lemon Creek/Switzer Creek residents noticed the greatest increase (42 percent) in bus/taxi congestion downtown.
- An increase in crowd levels was noticed by Downtown/Thane residents (42 percent) and Douglas/West Juneau residents (38 percent).

Comparing this past summer to the summer of 2005, did you notice if the following impacts were very reduced, somewhat reduced, unchanged, somewhat increased or very increased for...

Percentage responding “somewhat increased” or “very increased”

	Downtown/ Thane n=68	Douglas/ W. Juneau n=55	Salmon, Lemon, Switzer Creek n=63	East Mendenhall Valley n=179	North Douglas n=29	W. Mend’hall Valley/ Out the road n=113
Bus/taxi congestion d'town	37%	37%	42%	33%	29%	27%
Crowd levels	42	38	34	32	35	28
Guided groups of visitors on trails	30	24	33	26	28	28
Helicopter noise	12	12	20	17	22	22
Busses/taxis in neighborhoods	17	22	25	19	23	16
Smoke emissions from cruise ships	12	14	13	10	18	9
Floatplane noise	14	9	13	7	10	11
Cruise ship noise	11	7	11	4	7	4

Comparison of Impacts Over Past Five Years

Two thirds of Juneau residents believe that overall tourism-related impacts have increased over the past five years.

- In 2006, 67 percent of residents thought that impacts had increased, compared to 75 percent in 2002.
- Respondents over age 55 (77 percent), downtown residents (77 percent), and those who work in tourism (77 percent), were more likely to report increased impacts.

Over the past five years, do you think overall tourism-related impacts have increased, decreased or remained the same?

	2006	2002
Increased	67%	75%
Decreased	4	4
Remained the same	21	17
Don't know/new resident	7	4

VISITOR INDUSTRY MANAGEMENT

Tourism Best Management Practices Program

More residents were aware of the Tourism Best Management Practices program in 2006 than in 2002. Of those who are aware of the program, three quarters believed it had some effectiveness.

- One half of residents age 35-54 were aware of the TBMP program.
- Households with members employed in tourism were more likely than other households to be aware of the TBMP program (55 versus 39 percent).
- Awareness of the TBMP program was highest among residents of North Douglas (58 percent), West Mendenhall/Out the road (51 percent), and Douglas/West Juneau (49 percent).
- One-third of East Mendenhall Valley residents were aware of the TBMP program.

The Tourism Best Management Practices program is intended to reduce impacts on neighborhoods. Are you aware of this program?

	2006	2002	1998
No, I am not aware of the program	57%	75%	53%
Yes, I am aware of the program	43	23	46
<i>If aware, how effective have voluntary measures have been in managing tourism impacts?</i>			
Very effective	12%	13%	-
Effective	20	20	-
Somewhat effective	43	50	-
Not at all effective	12	10	-
Not sure	13	6	-

Low awareness in 2002 was likely related to the program name change from "Voluntary Compliance Program" that year.

Almost all Juneau residents who were aware of the Tourism Best Management Practices program were also aware of the TBMP crossing guards program. Respondents had less awareness of other TBMP programs.

- The crossing guard program had the highest level of awareness (92 percent) among those familiar with TBMP.
- The TBMP website was the least recognized element of the program (29 percent).

Please tell me if you are aware of each of the following Tourism Best Management Practices program activities...

(Base=those who are aware of the Tourism Best Management Practices program).

	Aware	Not Aware	Don't know/refused
TBMP hotline	36%	62%	3%
TBMP website	29	69	3
TBMP spring public meetings	42	54	4
Crossing guards	92	7	1

If residents were aware of the TBMP program element, they were asked a follow-up question about its effectiveness.

- The crossing guard program was rated as “very effective” by 42 percent of those who responded.
- Nearly 40 percent of respondents were unsure of the effectiveness of other TBMP program elements.

How effective is/are each of the following Tourism Best Management Practices program activities...

(Base=those who are aware of the specific Tourism Best Management Practices element).

	Very Effective	Effective	Not Effective	Not at all Effective	DK/Ref
TBMP hotline	12%	27%	17%	7%	37%
TBMP website	4	45	9	4	38
TBMP spring public meetings	8	33	11	10	39
Crossing guards	42	44	4	3	7

City and Borough Management of Tourism Impacts

Forty-seven percent of Juneau residents said the City and Borough is not doing enough to manage the impacts of tourism, while 45 percent believed it is doing the “right amount” or “more than enough.”

- Those who feel the CBJ is “not doing enough” declined from 52 percent in 2002 to 47 percent in 2006.
- The percent of those who think the CBJ is doing “more than enough” to manage tourism impacts increased from 6 percent in 2002 to 9 percent in 2006.
- Downtown Juneau/Thane residents were most likely to think that the CBJ is not doing enough (58 percent) followed by North Douglas (51 percent) and Douglas (49 percent).

Do you think the City and Borough of Juneau is doing more than enough, not enough, or just the right amount to manage the impacts of tourism?

	2006	2002
Not enough	47%	52%
Just the right amount	36	34
More than enough	9	6
Don't know	8	7

Future Tourism Activity Levels

When asked if various visitor activities could be increased, maintained, or decreased, approximately half of all residents favored maintaining activities at their current level.

- Residents were most supportive of potential increases in charter sportfishing and day boat tours.
- Four out of ten residents felt that downtown bus/van/ cab and pedestrian traffic could be decreased.
- Residents expressed the most significant opinion changes for floatplane flightseeing. The percentage of residents that felt floatplane activity could be increased changed from 22 percent in 2002 to 26 percent. The percentage of residents that felt it could be decreased dropped from 14 percent to 8 percent.

In terms of impacts on the community, which of the following tourist activities do you feel could be increased, decreased, or maintained at current levels?

	Could Be Increased	Could Be Maintained	Could Be Decreased	Don't Know
Charter fishing tours	37%	42%	12%	9%
Day boat tours	36	49	8	7
Hiking and trail excursions	31	44	14	11
Whale watching tours	30	47	18	6
Floatplane flightseeing	26	58	8	8
Valley tour bus traffic	23	52	17	8
Helicopter flightseeing	20	56	19	5
Downtown pedestrian traffic	14	45	37	4
Downtown bus/van/cab traffic	12	44	38	5

Future Tourism Activity Levels, by Neighborhood

Charter fishing tours and day boat tours were most likely to be favored for increases by a majority of neighborhoods.

- Salmon/Lemon/Switzer creek residents were more likely to favor increases in hiking and trail excursions and whale watching.
- One-half of North Douglas residents felt that day boat tours could be increased.

In terms of impacts on the community, which of the following tourist activities do you feel could be increased, decreased, or maintained at current levels?

Percentage responding “increased”

	Downtown/ Thane n=68	Douglas/ W. Juneau n=55	Salmon, Lemon, Switzer Creek n=63	East Mendenhall Valley n=179	North Douglas n=29	W. Mend’hall Valley/ Out the road n=113
Charter fishing tours	30%	36%	39%	41%	42%	33%
Day boat tours	24	39	46	38	51	32
Hiking and trail excursions	18	33	43	38	33	23
Whale watching tours	20	31	40	32	39	23
Floatplane flightseeing	18	22	29	32	31	18
Valley tour bus traffic	19	28	27	25	22	17
Helicopter flightseeing	10	15	21	28	13	19
Downtown pedestrian traffic	9	14	19	17	16	10
Downtown bus/van/cab traffic	6	8	23	14	13	9

Downtown Juneau/Thane and Douglas residents felt most strongly about decreases in downtown vehicle and pedestrian traffic.

- Approximately one-half of Downtown Juneau/Thane and Douglas/West Juneau residents felt that bus/van/cab and pedestrian traffic could be decreased. These neighborhoods also reported the highest levels of “affected” and “very affected” by the impacts of foot traffic congestion and vehicle congestion.
- West Mendenhall/out the road residents were also likely to favor decreases in downtown pedestrian (34 percent) and bus/van/ cab traffic (42 percent).
- Four of ten East Mendenhall Valley residents favor a decrease in downtown pedestrian traffic and 29 percent favor a decrease in downtown bus/van/cab traffic.
- North Douglas residents felt most strongly about decreasing downtown bus/van/cab traffic (40 percent).
- Downtown Juneau/Thane (26 percent) and West Mendenhall Valley residents (21 percent) were the most likely to favor a decrease in helicopter flightseeing.

In terms of impacts on the community, which of the following tourist activities do you feel could be increased, decreased, or maintained at current levels?

Percentage responding “decreased”

	Downtown/ Thane n=68	Douglas/ W. Juneau n=55	Salmon, Lemon, Switzer Creek n=63	East Mendenhall Valley n=179	North Douglas n=29	W. Mend’hall Valley/ Out the road n=113
Charter fishing tours	12%	14%	9%	12%	11%	15%
Day boat tours	4	1	2	7	14	15
Hiking and trail excursions	20	20	5	14	7	15
Whale watching tours	20	19	7	15	20	24
Floatplane flightseeing	17	11	5	4	7	10
Valley tour bus traffic	19	18	21	16	22	15
Helicopter flightseeing	26	14	12	14	21	27
Downtown pedestrian traffic	49	48	28	37	21	34
Downtown bus/van/cab traffic	48	56	29	29	40	42

Resident Perception of Tourism Industry Contribution

As in 2002, four out of ten residents felt that the tourism industry paid its “fair share” for services used by visitors.

- Downtown Juneau/Thane residents were most likely to feel that the tourism industry paid less than its fair share for services (54 percent).
- Residents living in Douglas/West Juneau (53 percent), North Douglas (46 percent), and East Mendenhall (46 percent) were the most likely to feel that the tourism industry paid fairly for visitor services.

*Presently, in terms of services used by visitors,
do you feel the tourism industry pays...?*

	2006	2002	1998	1995
More than its fair share	6%	6%	7%	6%
Its fair share	42	42	41	39
Less than its fair share	37	36	33	28
Don't know	15	14	19	27

Future Cruise Passenger Traffic

Nearly half of Juneau residents wanted to see the number of cruise ship passengers remain the same as in 2006.

- The percentage of residents who supported an increase in the number of cruise ship passengers grew slightly from 29 percent in 2002 to 32 percent in 2006.
- Downtown Juneau/Thane residents (32 percent) were the most likely to desire a decrease in the number of cruise ship passengers.
- North Douglas (38 percent), East Mendenhall Valley (37 percent), and Salmon/Lemon/Switzer Creek residents (36 percent), were more likely to support an increase in the number of cruise ship passengers.

In the future, would you like to see the number of cruise ship passengers to Juneau increase, decrease, or remain the same as in 2006/2002?

	2006	2002
Major increase	13%	12%
Minor increase	19	17
Remain the same	47	46
Minor decrease	9	11
Major decrease	9	9
Don't know	3	4

Preferred Number of Cruise Ships

When asked for the optimal daily number of cruise ships, the leading response was five ships.

- The average daily number of ships favored by Juneau residents was 4.2, comparable to 2002 survey results.
- Residents of Salmon Creek/Lemon Creek/Switzer Creek suggested the highest daily average (4.5), followed by East Mendenhall Valley residents (4.4 ships per day).
- Downtown Juneau/Thane residents suggested the lowest optimal number of ships per day (average of 3.8 ships).

In your opinion, what is the optimal number of large cruise ships to visit Juneau, during the summer, on any given day?

	2006
None	<1%
One	2
Two	8
Three	22
Four	21
Five	23
Six	7
Seven	3
Eight	2
Nine	0
Ten	1
Average	4.2
Don't know	9
Refused	2

Infrastructure Improvement

More than one-half of Juneau residents said that improved downtown infrastructure would make them more supportive of an increase in cruise ship passengers.

- The percentage of residents who said improved infrastructure would increase their support for more cruise passengers increased from 48 percent in 2002 to 53 percent in 2006.
- Residents of North Douglas (60 percent), Salmon Creek/ Lemon Creek/ Switzer Creek (57 percent) and East Mendenhall Valley (56 percent), were more likely to support an increase in the number of cruise ship passengers if downtown infrastructure were improved.
- Douglas (50 percent) and Downtown Juneau/Thane residents (49 percent) were the least likely to support an increase in cruise ship passengers if there were improvements to downtown infrastructure.

If the downtown infrastructure were improved, such as wider sidewalks or a sea-walk, would you be more supportive of an increase in the number of cruise ship passengers to Juneau?

	2006	2002
Yes	53%	48%
No	41	46
Don't know	6	5

RESPONDENT CHARACTERISTICS

Survey results generally corresponded to Juneau's population distribution, with the largest percentage residing in East Mendenhall Valley, followed by West Mendenhall Valley/Brotherhood Bridge/Out the road. Respondents most commonly worked in the Downtown Juneau/Thane area, while 19 percent were not employed or were retired.

In which areas of the city and borough do you live and in which area do you work?

	Live	Work
East Mendenhall Valley	35%	9%
West Mendenhall Valley/ Brotherhood Bridge/Out the road	22	17
Downtown/Thane	13	33
Salmon Creek/Lemon Creek/Switzer Creek	12	12
Douglas/West Juneau	11	2
North Douglas	6	<1
Work Borough-wide		8
Not employed/retired		19

The most common employer was state government followed by employment in professional services, education, construction, and federal government.

What are the primary jobs in your household?

	2006
State government	26%
Professional services	12
Education	11
Construction/trades/crafts	11
Federal government	10
Retail trade	9
Health care	8
Services	7
Local government	6
Transportation	5
Fishing, fish processing	3
Communication/utilities	3
Finance/insurance/real estate	2
Mining industry	2
Wholesale trade	2
Timber harvesting and related services	<1
Retired	14
Homemaker/student	4
Unemployed	2

Twenty-three percent of respondents reported that at least one household member had worked in the tourism industry in the last two years. The average number of tourism employees in these households was 1.4 (the same average number as in 2002).

Have you or any members of your household been employed in the Juneau tourism industry at any time during the past two years? If so, how many?

	2006	2002
Yes	23%	21%
No	77	78
Average # of household members employed in tourism	1.4 people	1.4 people

Survey results were weighed to accurately reflect the age distribution of residents. Respondents age 18-34 were the most likely (average of 2) to have multiple members of their household employed in tourism.

Age of Respondents

	2006
18 to 24 years	8%
25 to 34 years	20
35 to 44 years	27
45 to 54 years	26
55 to 64 years	11
65 years and over	9

Survey results were weighed to accurately reflect the community gender distribution.

Gender of Respondents

Male	50.4%
Female	49.6%

APPENDIX

Juneau Tourism Community Opinion Survey 2006

Phone # _____

Survey # _____

Interviewer Name _____

Date _____

Hello, this is _____ with the McDowell Group, an Alaska research firm. We are conducting a tourism study for the City and Borough of Juneau and would like to ask your opinions about tourism.

1. FIRST, please stop me at the category that best describes your age group? -- is it . . .

- | | | |
|---|--|--|
| 1 ☐ Under 18 Years of Age (ask for adult, if none, end survey) | 6 ☐ 55 - 64 Years | |
| 2 ☐ 18 - 24 Years | 4 ☐ 35 - 44 Years | 7 ☐ Over 65 Years |
| 3 ☐ 25 - 34 Years | 5 ☐ 45 - 54 Years | 9 ☐ Refused |

Perception of Impacts on Household and Community in General

2. Considering the costs and benefits of tourism, do you feel that the current level of tourism in Juneau has a positive impact, negative impact, both negative and positive impacts, or no impact at all on your HOUSEHOLD?

- | | |
|--|---|
| 1 ☐ Positive impact (skip to Q 3) | 4 ☐ No impact at all (skip to Q 3) |
| 2 ☐ Negative impact (skip to Q 3) | 8 ☐ Don't know (skip to Q 3) |
| 3 ☐ BOTH (go to 2a) | 9 ☐ Refused (skip to Q 3) |

2a. Do you feel that the costs outweigh the benefits or do the benefits outweigh the costs? (Example of cost is "overcrowding downtown". Example of benefit is "sales tax revenue to the City of Juneau".)

- | | |
|--|---------------------------------------|
| 1 ☐ Costs outweigh benefits | 8 ☐ Don't know |
| 2 ☐ Benefits outweigh costs | 9 ☐ Refused |
| 3 ☐ Neutral | |

3. Presently, in terms of services used by visitors, do you feel the tourism industry pays . . . (Read choices 1 – 3)

- | | |
|---|---------------------------------------|
| 1 ☐ More than its fair share (for services) | 8 ☐ Don't know |
| 2 ☐ Its fair share (for services) | 9 ☐ Refused |
| 3 ☐ Less than its fair share (for services) | |

Tourism Best Management Practices

4. For each of the following tourism-related impacts, would you say your household is very affected, affected, somewhat affected or not at all affected?

	Not at all Affected	Somewhat Affected	Affected	Very Affected	Don't Know	Refused
a. Vehicle congestion	1 ☐	2 ☐	3 ☐	4 ☐	8 ☐	9 ☐
b. Foot traffic congestion	1 ☐	2 ☐	3 ☐	4 ☐	8 ☐	9 ☐
c. Airplane noise	1 ☐	2 ☐	3 ☐	4 ☐	8 ☐	9 ☐
d. Helicopter noise	1 ☐	2 ☐	3 ☐	4 ☐	8 ☐	9 ☐
e. Watercraft noise	1 ☐	2 ☐	3 ☐	4 ☐	8 ☐	9 ☐

5. Comparing this past summer to the summer of 2005, did you notice if the following impacts were very reduced, somewhat reduced, unchanged, somewhat increased or very increased for each of the following?

	Very Reduced	Somewhat Reduced	No Change	Somewhat Increased	Very Increased	Don't Know/ Didn't Notice	Refused
a. Buses & taxis in neighborhoods	1 ☐	2 ☐	3 ☐	4 ☐	5 ☐	8 ☐	9 ☐
b. Bus & taxi congestion downtown	1 ☐	2 ☐	3 ☐	4 ☐	5 ☐	8 ☐	9 ☐
c. Float plane noise	1 ☐	2 ☐	3 ☐	4 ☐	5 ☐	8 ☐	9 ☐
d. Helicopter noise	1 ☐	2 ☐	3 ☐	4 ☐	5 ☐	8 ☐	9 ☐
e. Crowd levels	1 ☐	2 ☐	3 ☐	4 ☐	5 ☐	8 ☐	9 ☐
f. Smoke emissions from cruise ships	1 ☐	2 ☐	3 ☐	4 ☐	5 ☐	8 ☐	9 ☐
g. Cruise ship noise	1 ☐	2 ☐	3 ☐	4 ☐	5 ☐	8 ☐	9 ☐
h. Guided groups of visitors on trails	1 ☐	2 ☐	3 ☐	4 ☐	5 ☐	8 ☐	9 ☐

6. Over the past five years, do you think overall tourism related impacts have increased, decreased or remained the same?

- 1 ☐ Increased
 2 ☐ Decreased
 3 ☐ Remained the same
 8 ☐ Don't know
 9 ☐ Refused

7. The Tourism Best Management Practices program is intended to reduce impacts on neighborhoods. Are you aware of the TBMP program?

- 2 ☐ No----->Continue to #8
 3 ☐ Don't know/refused----->Continue to #7A
 1 ☐ Yes----->Continue to #7A

- 7a. Please tell me if you are aware of each of the following Tourism Best Management Practices activities?

	Aware	Not Aware	Refused/DK	(If aware) 7b. How effective is/are the.....				
				Very Effective	Effective	Not Effective	Not at all Effective	Refused/ DK
TBMP hotline	1 ☐	2 ☐	9 ☐	1 ☐	2 ☐	3 ☐	4 ☐	9 ☐
TBMP Website	1 ☐	2 ☐	9 ☐	1 ☐	2 ☐	3 ☐	4 ☐	9 ☐
TBMP spring public meetings	1 ☐	2 ☐	9 ☐	1 ☐	2 ☐	3 ☐	4 ☐	9 ☐
Crossing guards	1 ☐	2 ☐	9 ☐	1 ☐	2 ☐	3 ☐	4 ☐	9 ☐

- 7c. How effective do you believe voluntary measures have been in managing tourism impacts? (Read 1-4)

- 1 ☐ Very effective
 2 ☐ Effective
 3 ☐ Somewhat effective
 4 ☐ Not at all effective
 8 ☐ Don't know
 9 ☐ Refused

Recommendations for Future Planning

8. In the future, would you like to see the number of cruise ship passengers to Juneau increase, decrease, or remain the same as the summer of 2006? (Prompt for Major or Minor)

- 1 ☐ Major Increase
 2 ☐ Minor Increase
 3 ☐ Remain the same
 4 ☐ Major Decrease
 5 ☐ Minor Decrease
 8 ☐ Don't know
 9 ☐ Refused

9. In your opinion, considering both the benefits and impacts of cruise tourism, what is the optimal number of large cruise ships to visit Juneau, during the summer, on any given day? (Ships over 500 passengers are considered large ships.) # _____
 8 ☐ Don't know 9 ☐ Refused

10. If the downtown infrastructure were improved, such as wider sidewalks or a sea-walk, would you be more supportive of an increase in the number of cruise ship passengers to Juneau?

- 1 ☐ Yes 2 ☐ No 8 ☐ Don't know

12. Do you think the City and Borough of Juneau is doing more than enough, not enough, or just the right amount to manage the impacts of tourism?

- McDowell Group, Inc. • Page 3



City and Borough of Juneau
City & Borough Manager's Office
155 South Seward Street
Juneau, Alaska 99801

Telephone: 586-5240 | Facsimile: 586-5385

TO: Mayor Weldon and Assembly Members

DATE: June 30, 2021

FROM: Rorie Watt, City Manager

RE: **Ordinances 2021-26 and 2021-27 (AME2021 0001 Rezone Request from D15 to GC on North Douglas Highway and Comprehensive Land Use Designation Map Amendment)**

Background

The Planning Commission, at its regular meeting on May 11, 2021, recommended the Assembly approve a request to rezone 15.41 acres from D15 to Light Commercial (LC). The Land Use Designation for this lot is Medium Density Residential (MDR), permitting densities between 5 and 20 dwelling units per acre. The applicant originally applied to rezone this lot from D15 to General Commercial (GC).

Analysis

The CBJ Land Use Code provides minimum restrictions for zone change requests:

1. The subject lot is more than two acres and is an expansion of an existing zoning district.
2. No similar request has been made in the past year.
3. This request substantially conforms to the land use maps of the 2013 Comprehensive Plan.

Staff found that GC is not in substantial conformance with the Comprehensive Plan Land Use Designation Maps, as GC allows 50 dwelling units per acre, exceeding the maximum permitted in MDR. Staff recommended a transition zone from D15 to Light Commercial [D15(T)LC] with the following conditions:

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 10th 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.

The Planning Commission found the proposal substantially conforms to the Comprehensive Plan and the land use code. The Planning Commission recommended the Assembly:

1. Adopt the rezone of 15.41 acres of D15 land to LC commercial without conditions; and
2. Adopt a Comprehensive Plan Land Use Map designation amendment for these lots, from Medium Density Residential (MDR) to High Density Residential (HDR).

Recommendation

The Manager recommends that the Assembly **ADOPT** staff's findings and recommendation, which better conforms to the Comprehensive Plan and the Land Use Code, to rezone the property D15(T)LC with the following conditions:

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 10th 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.

Presented by: Planning Comm.
Presented: 07/12/2021
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-26

An Ordinance Amending the Official Zoning Map by Rezoning Channel View, Lot 1, Located near 4650 North Douglas Highway from D-15 to Light Commercial.

WHEREAS, the area of the proposed rezone, Channel View Lot 1, consists of 15.41 acres, is located near 4650 North Douglas Highway, and is currently zoned D-15; and

WHEREAS, adjacent parcels are zoned D-3, D-15, and General Commercial (GC); and

WHEREAS, the land use maps of the Comprehensive Plan identify the subject lot as Medium Density Residential (MDR); and

WHEREAS, the MDR designation is characterized by urban residential lands for multifamily dwelling units at densities ranging from 5 to 20 units per acre and where any commercial development should be of a scale consistent with a residential neighborhood, as regulated in the Table of Permissible Uses; and

WHEREAS, 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; and

WHEREAS, the Light Commercial district allows for up to 30 units per acre, which exceeds the density limit of the Comprehensive Plan MDR designation; and

WHEREAS, the Community Development Department recommended rezoning the subject property from D-15 Transition to Light Commercial upon two conditions (1) that additional public transportation infrastructure first be constructed to ensure any allowed higher density

development would not aggravate existing issues with traffic flow and pedestrian safety, and (2) the Assembly adopt a Comprehensive Land Use Map amendment from MDR to High Density Residential (HDR) to allow the higher densities allowed in the Light Commercial zoning district; and

WHEREAS, the Planning Commission considered the Community Development Department's recommendation and concluded the Light Commercial zoning district—without any conditions—substantially conformed to the maps of the Comprehensive Plan; and

WHEREAS, the Planning Commission separately recommended the Assembly amend the Comprehensive Land Use Map from MDR to HDR for the subject property, which is the purpose of Ordinance 2021-31.

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 of Juneau Municipal Code.

Section 2. Amendment to the 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 Channel View Lot 1 (Parcel # 6D0601150011) from D-15 to Light Commercial.

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



AME 2021 0001

A request to rezone 15.41 acres from D-15 to GC

Staff recommends approval to D15(T)LC with two conditions.

**Planning Commission Meeting
May 11, 2021**



Commission Duties

CBJ 49.75.130(a),

The Commission may recommend Assembly approval, approval with modifications or denial of a rezone request.

Options

- Recommend approval
- Deny rezone request
- Recommend different zoning districts than what is requested by the applicant or recommended by staff
- May determine the boundary of the area to be rezoned
 - This means that if the Commission wishes to do so, the zone 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

Rezone Requirements

CBJ 49.75.110 Initiation

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

CBJ 49.75.120 Restrictions on Re-zoning

Rezoning must be more than two acres or an expansion of an existing zone. Requests which are substantially the same as a rezoning request rejected within the previous 12 months shall not be considered.

49.75.120 Restrictions on Rezoning

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

Overview & Existing Conditions



Existing Zoning: D-15 (Multi-family, 15 du/acre)

Comprehensive Plan

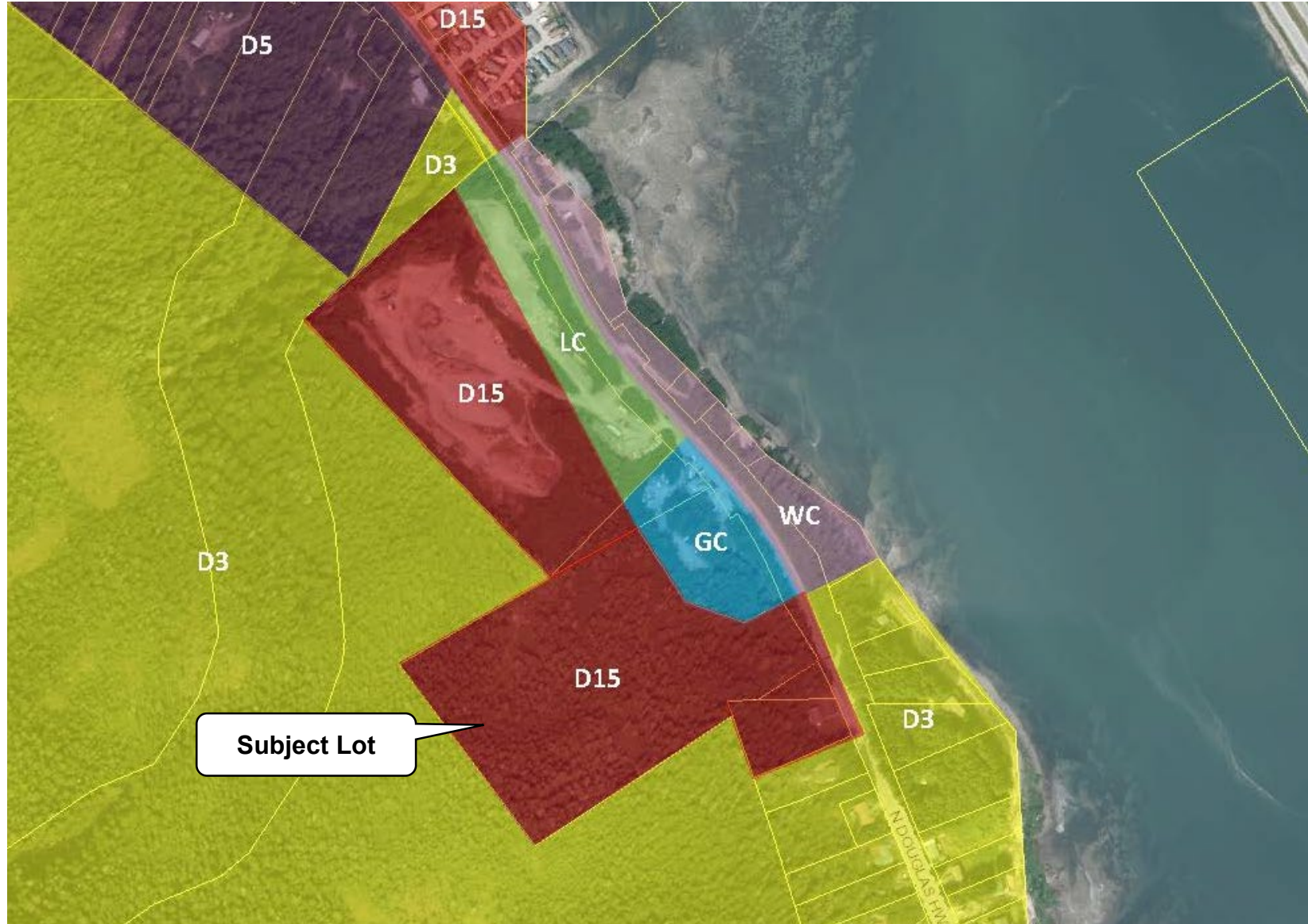
Land Use Designation: MDR (Medium Density Residential)

Utilities: CBJ Water & Sewer

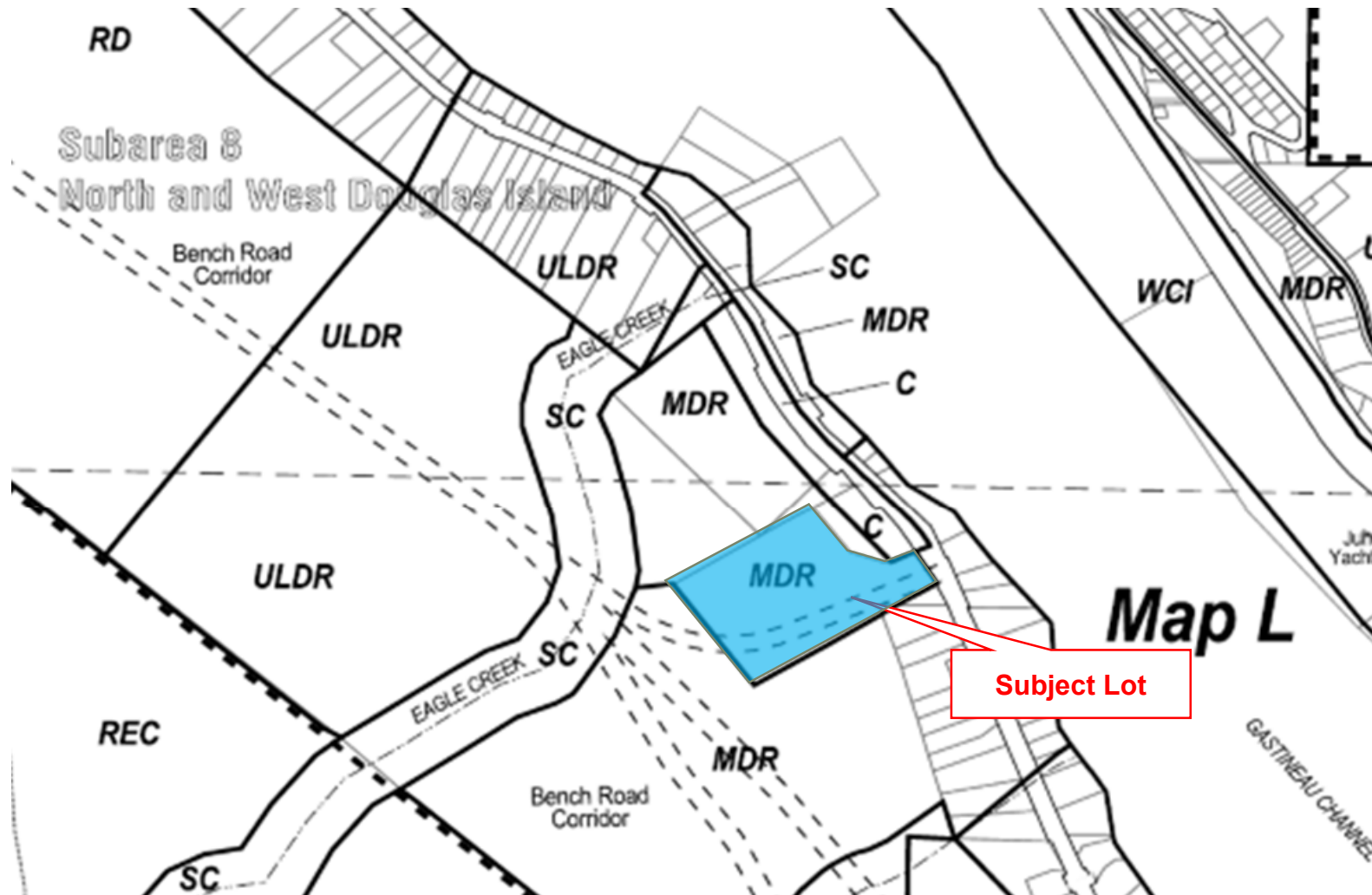
Access: North Douglas Highway

Existing Land Use: Vacant, undeveloped

Current Zoning



Comprehensive Plan Land Use Designation

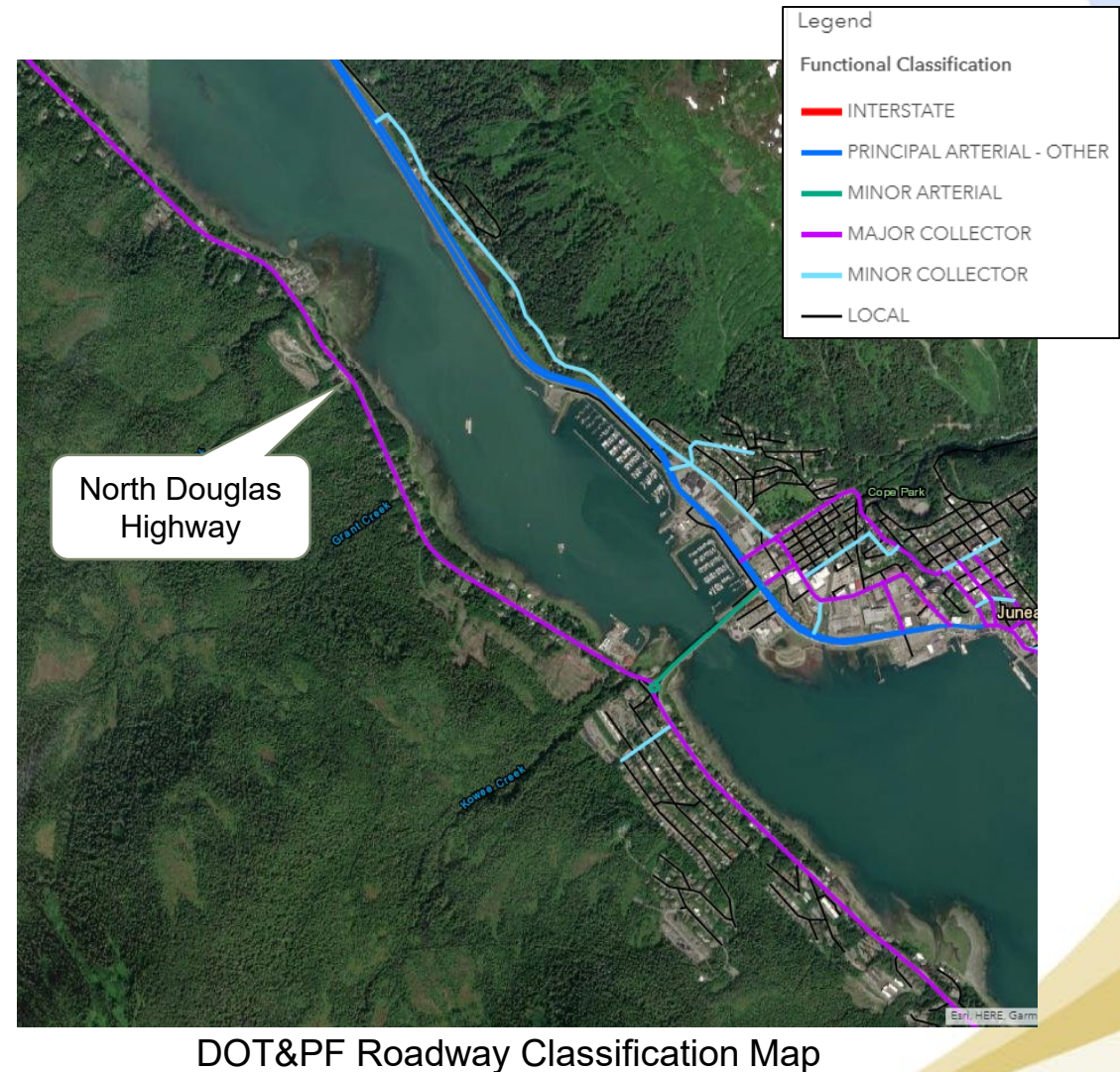
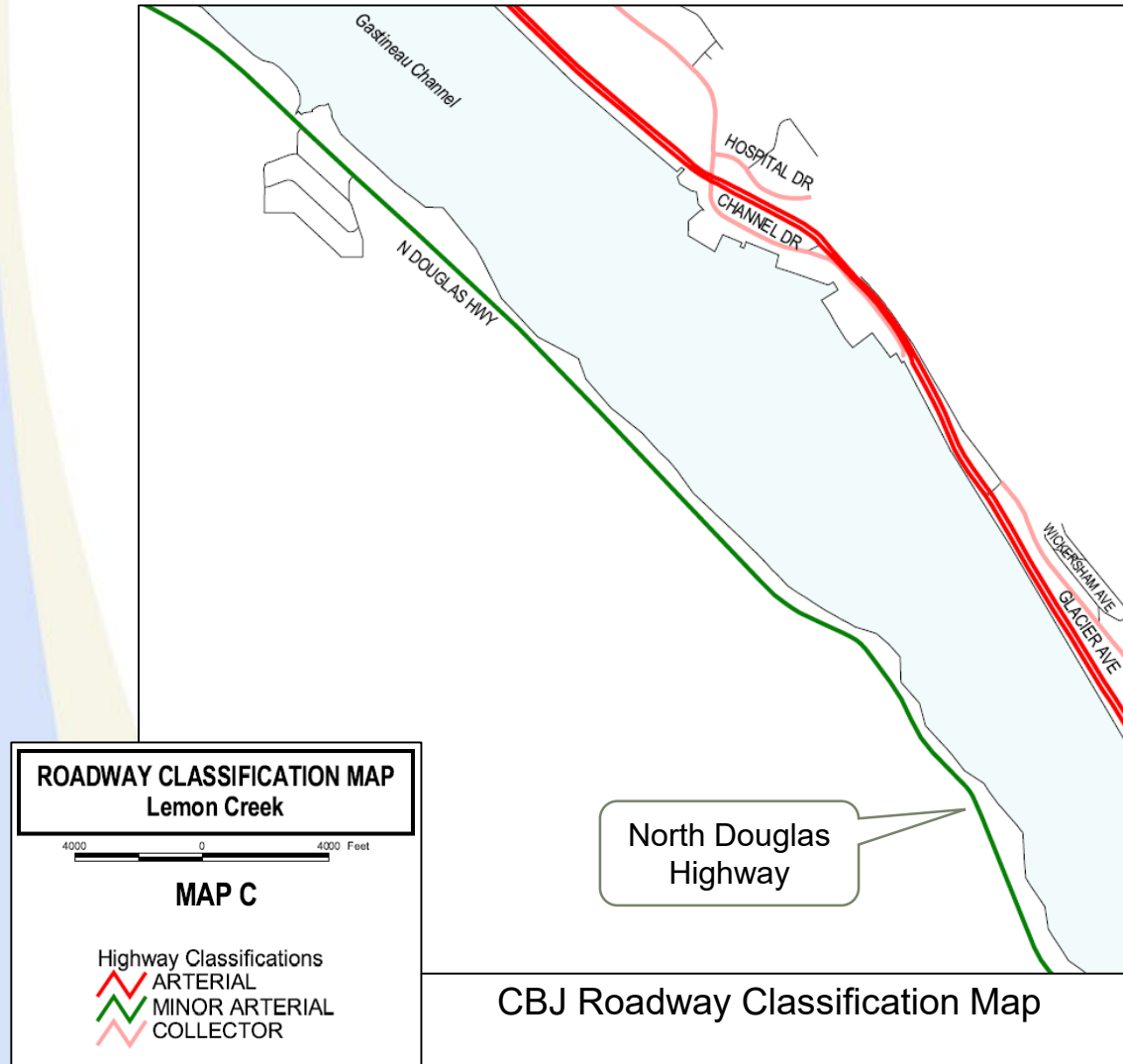


Comprehensive Plan Land Use Designation

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). (emphasis added)

Rights-of-way & Traffic



Rights-of-way & Traffic

Table 16- Existing Level of Service Summary – AM Peak Hour

Location			
	LOS ¹	Delay ²	V/C ³
Egan/10 th	E	57.0	1.12
Douglas Hwy/NDH	B	12.5	0.77
1. LOS = level-of-service 2. Average control delay for intersection (sec/veh) 3. V/C = volume to capacity ratio			

Table 17 - Existing Level of Service Summary – PM Peak Hour

Location			
	LOS ¹	Delay ²	V/C ³
Egan/10 th	D	51.0	1.17
Douglas Hwy/NDH	A	8.4	0.65
1. LOS = level-of-service 2. Average control delay for intersection (sec/veh) 3. V/C = volume to capacity ratio			

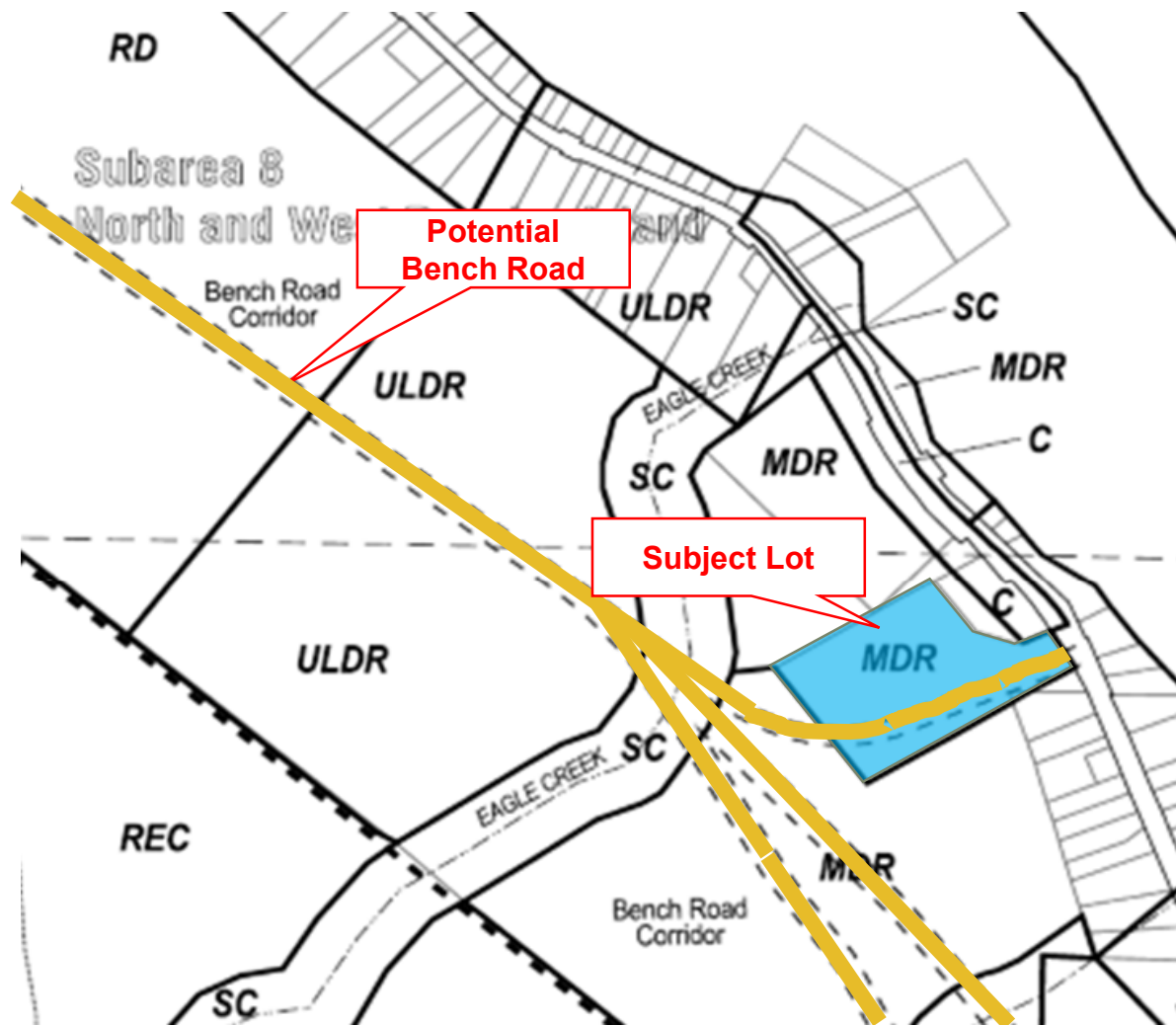
Table 18- Future Level of Service Summary – AM Peak Hour

Location	D-10 Development			D-15 Development			D-18 Development		
	LOS ¹	Delay ²	V/C ³	LOS	Delay	V/C	LOS	Delay	V/C
Egan/10 th	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 2. Average control delay for intersection (sec/veh) 3. V/C = volume to capacity ratio									

Tables 16, 17, & 18.

Source: 2009 Traffic Impact Analysis, North Douglas Highway & Roundabout

Rights-of-way & Traffic



Proposed Rezone



Proposed Rezone

FROM:

D-15 zoning

TO:

The **GC, 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. GC zoned lands are located in the urban service boundary and are served or can be served by public water and sewer.

Residential development is allowed in GC zoning and can have a density of up to 50 units per acre.

Staff Zoning Recommendation





Staff Zoning Recommendation

FROM:

D-15 zoning

TO:

The **D15(T)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.

Residential development is allowed in LC zoning and can have a density of up to 30 units per acre.

Rezone Request

	Current Zoning	Proposed Zoning	Proposed Zoning
Table of Dimensional Standards Existing site 15.41 acres	D-15 (15 du/acre)	GC (50 du/acre)	D15(T)LC (30 du/acre after transition)
Maximum Number of Units	231 units	771 units	462 units
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 sq. ft.	2,000 sq. ft.	2,000 sq. ft.
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

Rezone Request

CUP: Conditional Use Permit, Review by Planning Commission		Current Zoning	Proposed Zoning	Proposed Zoning
		D-15	GC	D15(T)LC
	Single-family residential, detached	DEPT	DEPT	DEPT
DEPT: Review by CDD with Building Permit	Multifamily	DEPT/CUP	DEPT/CUP	DEPT/CUP
	Bed & Breakfasts, Rooming Houses	CUP	DEPT/CUP	DEPT/CUP
	Hotels, Motels	Not allowed	DEPT/CUP	DEPT/CUP
	Marijuana retail or cultivation	Not allowed	CUP	CUP
	Offices less than 1,000 sq. ft.	CUP	DEPT	DEPT
	Rock Crushing	Not allowed	Not allowed	Not allowed
	Elementary and secondary schools	CUP	CUP	CUP
	Tennis, racquetball, squash courts, skating rinks, exercise facilities, swimming pools, archery ranges	CUP	DEPT/CUP	DEPT/CUP
	Sand and gravel operations	Not allowed	CUP	CUP
	Mining Operations	CUP	Not allowed	Not allowed



Public Comments

Concerns raised by the public include:

- Potential for increased vehicle traffic
- Frontage on a low-visibility curve
- Encourage an easement for a bench road
- Prohibit uses that cause large vehicle traffic



Agency Comments

- CBJ Engineering & Public Works, CBJ Assessor's Office & Capital City Fire and Rescue – No concerns
- AKDOT&PF– Concerns about the ability of North Douglas Highway and the bridge to handle additional traffic. Concerns about high density developments without any sidewalks. A traffic impact analysis may be required.



Zone Change Options & Alternatives

CBJ 49.75.130(a),

The Commission may recommend Assembly approval, approval with modifications or denial of a rezone request.

Options

- Recommend approval
- Deny rezone request
- Recommend different zoning districts than what is requested by the applicant or recommended by staff
- May determine the boundary of the area to be rezoned
 - This means that if the Commission wishes to do so, the zone 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

Findings

After review of the application materials, the CBJ Land Use Code, and the CBJ 2013 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. The application was filed in January, is an expansion of an existing zoning district, is more than 2 acres, and is not similar to a request rejected in the past year.
2. Based on the preceding analysis, the proposal *does not* substantially conform to the Land Use Maps and policies of the Comprehensive Plan.

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 is subject to the following conditions:

1. Prior to upgrading the zoning from D15 to LC, additional public infrastructure must be constructed.
2. Prior to upgrading the zoning from D15 to LC, a Comprehensive Land Use Designation Map amendment is required from MDR to HDR.

Questions?



Planning Commission

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

PLANNING COMMISSION NOTICE OF RECOMMENDATION

Date: May 19, 2021
Case No.: AME2021 0001

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

Proposal: Planning Commission Recommendation to the City and Borough Assembly regarding a request to rezone 15.41 acres of land from D15 to General Commercial, General Commercial/Light Commercial, or Light Commercial

Property Address: North Douglas Highway

Legal Description: Channel View Lot 1

Parcel Code Number: 6D0601150011

Hearing Date: May 11, 2021

The Planning Commission, at its regular public meeting, recommended that the City & Borough Assembly approve a modified request to rezone 15.41 acres of land from D15 to Light Commercial at Channel View Lot 1.

The applicant requested to rezone 15.41 acres of land from D15 to General Commercial. After review and analysis, staff determined that Light Commercial (LC) and General Commercial (GC) zoning districts do not substantially conform to the Comprehensive Plan and the Land Use Designation Maps. Staff recommended creation of a transition zone, D15(T)LC, contingent on improvements to transportation infrastructure.

The Commission determined that LC zoning district more substantially conforms to the Land Use Designation Maps than GC, and did not believe that a transition zone was required. The Commission also determined that the Comprehensive Plan Land Use Designation Maps were inaccurate and

City and Borough Assembly
Case No.: AME2021 0001
May 19, 2021
Page 2 of 2

recommended updating the Land Use Designation Maps from Medium Density Residential (MDR) to High Density Residential (HDR) for the 15.41 acres of the requested rezone.

The Commission adopted the following findings:

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

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

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

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?

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?

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?

Finding: Yes. Rezoning 15.41 acres from D15 to Light Commercial zoning conforms with the policies and guidelines of the Comprehensive Plan and substantially conforms to the Land Use Designation Maps.

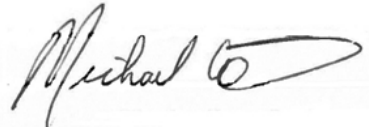
6. Is the proposed zoning district and the uses allowed therein found to be in substantial conformance with Title 49 – Land Use Code, in accordance with CBJ 49.75.120?

Finding: Yes. The proposed rezone is in substantial conformance with Title 49 – Land Use Code.

Attachments: April 30, 2021 memorandum from Joseph Meyers, Community Development, to the CBJ Planning Commission regarding AME2021 0001.

City and Borough Assembly
Case No.: AME2021 0001
May 19, 2021
Page 3 of 2

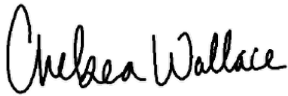
This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of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



Michael LeVine, Chair
Planning Commission

May 19, 2021

Date



Filed With City Clerk

May 19, 2021

Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended text amendment. 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.

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

(907) 586-0715

CDD_Admin@juneau.org

www.juneau.org/CDD

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	
Property Owner	TDLH LLC.
Applicant	Travis Arndt
Property Address	Not Assigned
Legal Description	Channel View Lot 1
Parcel Number	6D0601150011
Zoning	D15
Land Use Designation	MDR
Lot Size	671,260 sq. ft. (15.41 acres)
Water/Sewer	CBJ
Access	North Douglas Highway
Existing Land Use	Vacant
Associated Applications	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:
 - o 49.75.120
 - o 49.10.170(d)
 - o 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

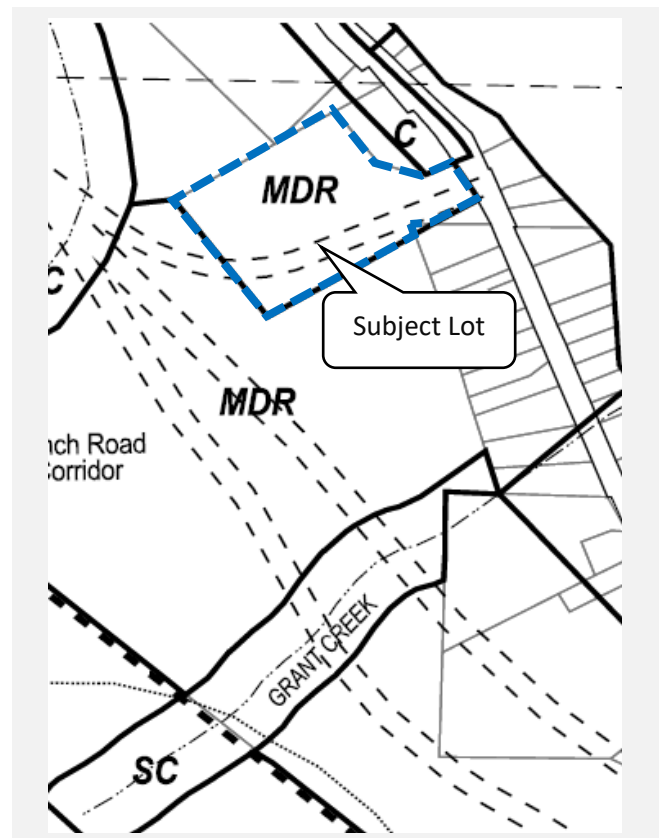
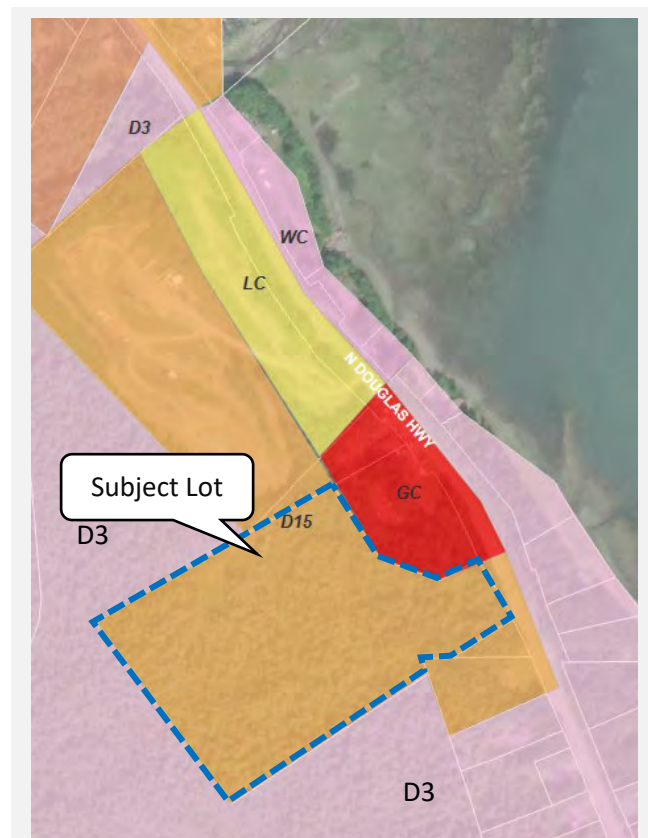


SURROUNDING ZONING AND LAND USES	
North (GC)	Disused rock quarry
South (D3)	Vacant
East (D15)	North Douglas Highway
West (D3)	Vacant

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 10th & 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.

Current Zoning – D15	Applicant's Preferred Zoning – GC	Staff Recommendation – D15(T)LC conditional upon improved access
<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 rezone. 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 D15	Applicant's Preferred Zoning GC	Staff Recommendation* 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
Table of Dimensional Standards Rezoning Request 15.41 Acres	D15 (15/DU Acre)	GC (50/DU Acre)	D15(T)LC (30/DU Acre)
Maximum # of dwelling units, unsubdivided	231 units	770 units	462 units
Maximum # of dwelling units, subdivided	134 units	672 units	336 units
Maximum # of lots, subdivided	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 rezoning 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 rezoning 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 10th and Egan, and the intersection of Douglas Highway and North Douglas Highway. At that time, the Level of Service (LOS) at the 10th 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 10th 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 th & 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 th & 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.

Service	Summary
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.

Resource	Summary
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)*

2013 COMPREHENSIVE PLAN - 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.

2013 COMPREHENSIVE PLAN - 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&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&PF 2010 data, these corridors are:</i> <i>North Douglas Highway – Juneau Douglas Bridge to Eagle Creek – 5,508 AADT</i>
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>

2013 COMPREHENSIVE PLAN - 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.

the adjacent, lower-density housing and to hide or screen the parking behind or within the structure(s).

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 10th 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.

Agency	Summary
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 & 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> <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
	<i>That all said, the TIA is the appropriate process to move forward with analysis of impacts.</i> <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> <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&PF department review team. The application must comply with all federal, state, and local statutes or regulations.</i> <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 & Safety during this time.</i>
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	Concerns: Limited road frontage on a low-visibility curve, with longer turn times for larger vehicles. Encourage sharing an easement with a neighboring lot. Encourage requiring an easement for the bench road. Prohibit mining and similar extraction that will cause large vehicle traffic.

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 to 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 10th 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

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



DEVELOPMENT PERMIT APPLICATION

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

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address 0 North Douglas Highway		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Channel View Lot 1		
	Parcel Number(s) 6D0601150011		
	☐ This property located in the downtown historic district ☐ This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner TDLH, LLC	Contact Person Travis Arndt	
	Mailing Address 10840 Lilac Drive, Juneau, AK 99801	Phone Number(s) 907-321-3118	
	E-mail Address constellation_dev@hotmail.com		
	LANDOWNER/ LESSEE CONSENT Required for Planning Permits, not needed on Building/ Engineering Permits		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X <u>Travis Arndt</u> Landowner/Lessee Signature		<u>1/5/2021</u> Date	
X _____ Landowner/Lessee Signature		_____ Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT If the same as OWNER, write "SAME"			
Applicant SAME	Contact Person		
Mailing Address	Phone Number(s)		
E-mail Address			
X <u>Travis Arndt</u> Applicant's Signature		<u>1/24/21</u> Date of Application	

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 <i>JFM</i>	
Case Number <i>AME 21-001</i>	Date Received <i>1/25/21</i>



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.

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

\$ 600.00

49,851.00 (9)

Admin. of Guarantee

\$ _____

Adjustment

\$ _____

Pub. Not. Sign Fee

\$ 50.00

Pub. Not. Sign Deposit

\$ 100.00

Total Fee

\$ _____

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

AME 21-001

1/25/21

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.

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.

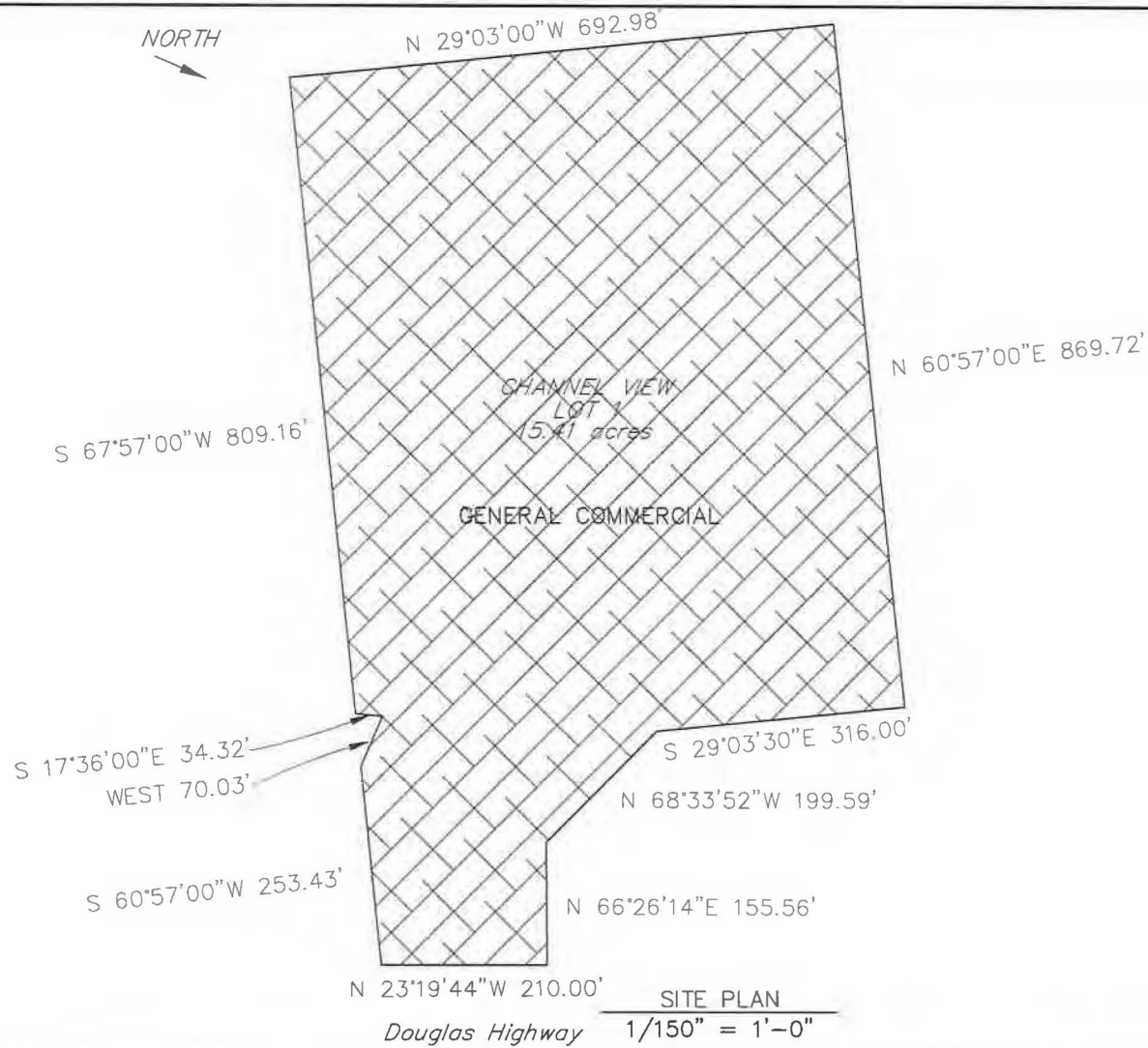
Public Notice Responsibilities: All Zone Change requests must be given the following public notice as outlined in CBJ 49.15.230:

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.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Attachment A - Application Packet



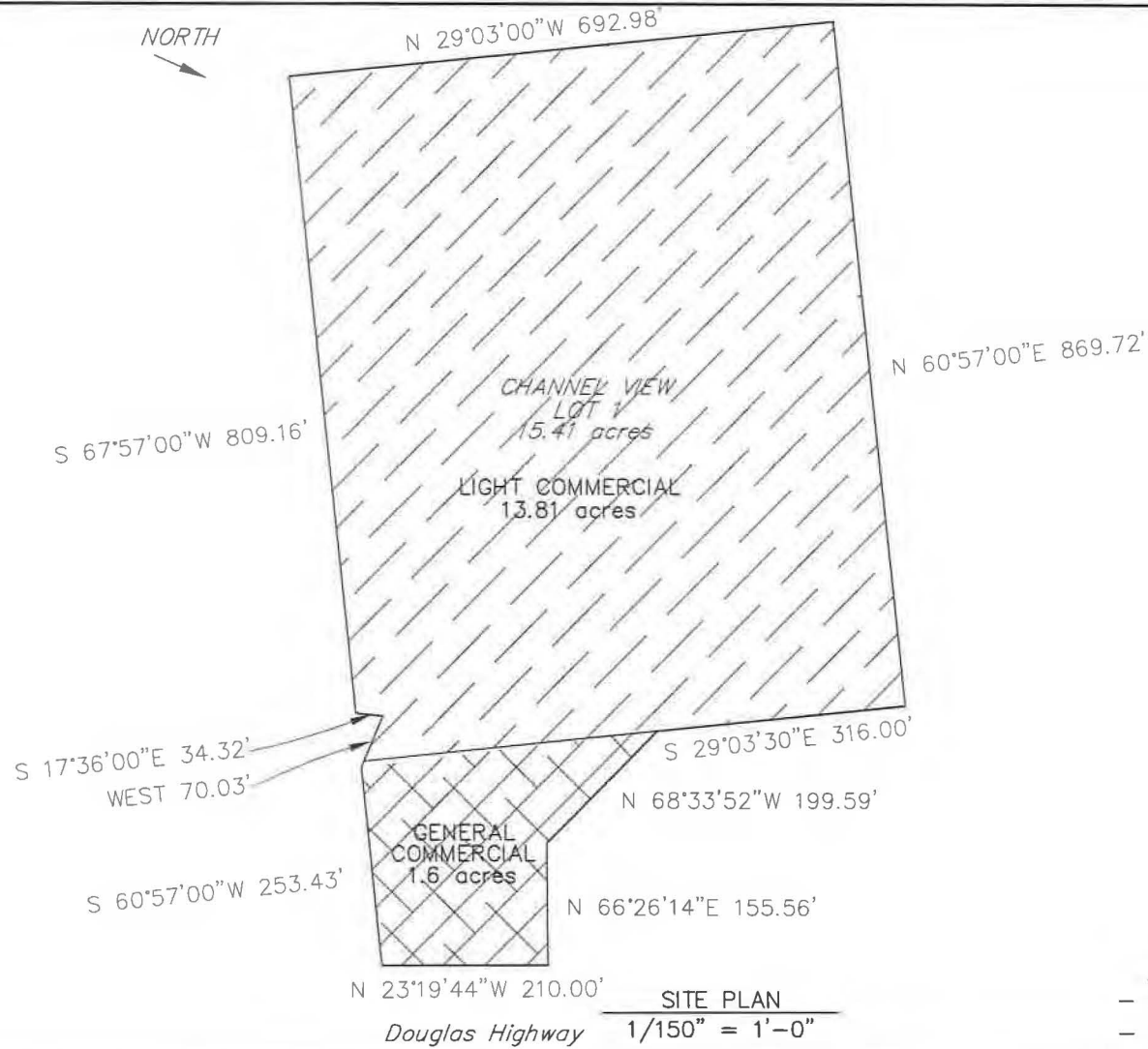
NOTES:
- REZONE ENTIRE LOT AS GC

CONSTELLATION DEVELOPMENT

Lot 1
Channel View Subdiv.
SITE PLAN - Alt. A

10840 L&Z-Drms
Jrnlms, J&C 08/05
507-321-3116

Attachment A - Application Packet



NOTES:

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

CONSTELLATION DEVELOPMENT

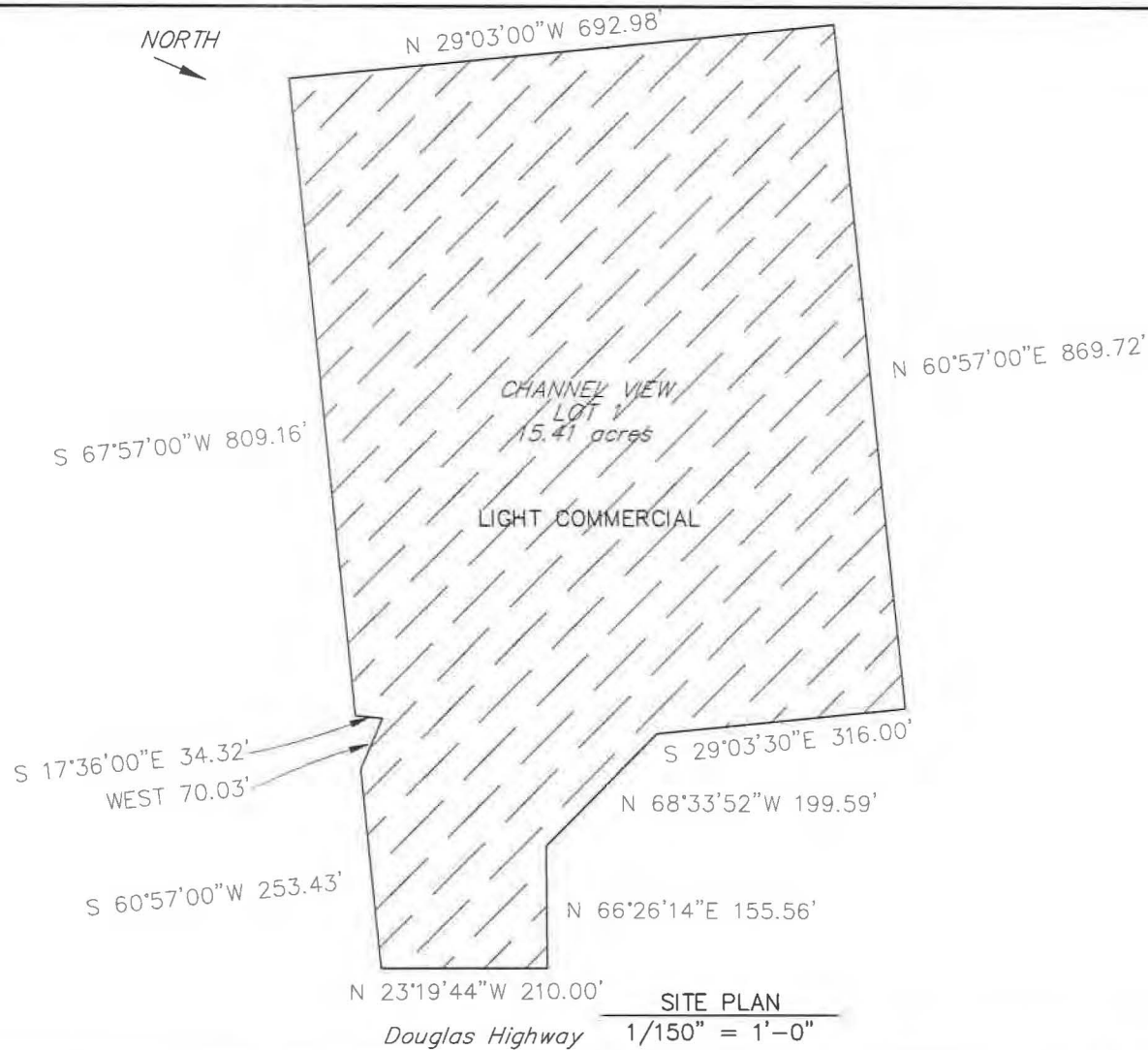
Lot 1

Channel View Subdiv.

SITE PLAN - Alt. B

10040 Liles Drive
Juno, AL 36801
907-321-3118

Attachment A - Application Packet



NOTES:

— REZONE ENTIRE LOT AS LC

CONSTELLATION DEVELOPMENT

Lot 1

Channel View Subdiv.

SITE PLAN — Alt. C

10840 Lico Drive
Atlanta, GA 30328
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.

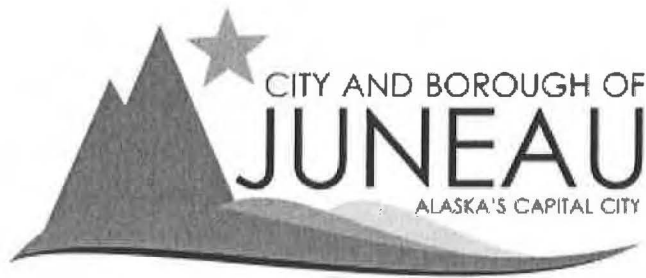
The lot is served by public water and sewer service (located within the urban service area boundary - USAB). The comprehensive plan suggests efficiently developing land within the USAB to medium to high density affordable housing or mixed residential and commercial developments wherever possible and 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

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.



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

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

Legal Desc. 2:

Total PV: \$304900.00

Tax Year: 2020

No. of Units: 000

Garage: No

City Water: Yes

Exempt Land: 0

Year Built: 0

Garage Area: 000000

City Sewer: No

Exempt Building: 0

Lot Size: 15.41

Exempt Total: 0

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.).



(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	constellation_dev@hotmail.com
Laurel Christian Irene Gallion	Planning	Laurel.Christian@juneau.org Irene.Gallion@juneau.org
Kyle Paw	General Engineering	Kyle.paw@juneau.org

Pre-Application Conference Final Report

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 (15 DU/Acre)	LC (30 DU/Acre)	GC (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.

Pre-Application Conference Final Report

- 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)].

Pre-Application Conference Final Report

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.

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

Web: www.juneau.org/cdd
Email: 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).

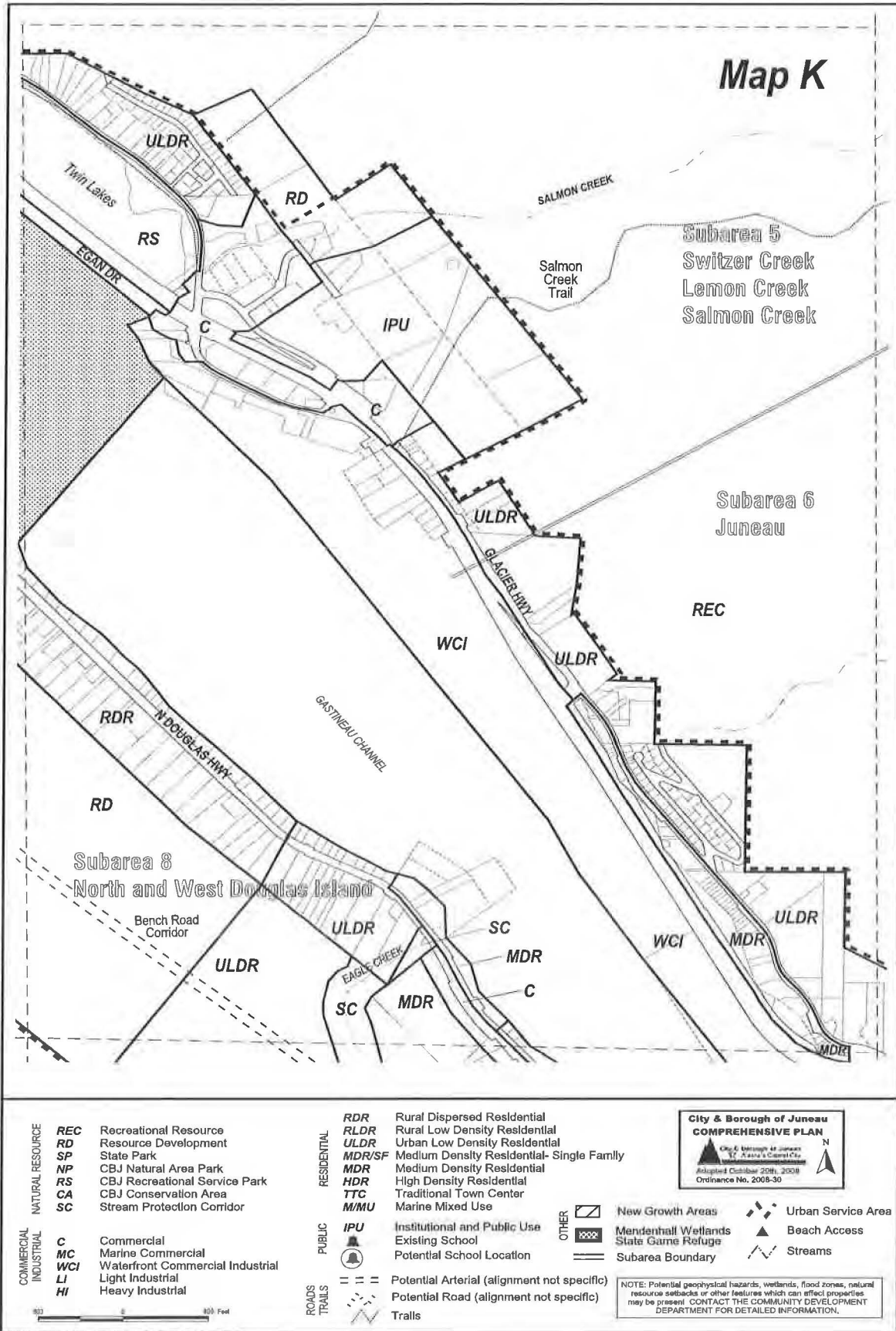
- (b) Protests.

- (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)





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. 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.; 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.

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

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,

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:

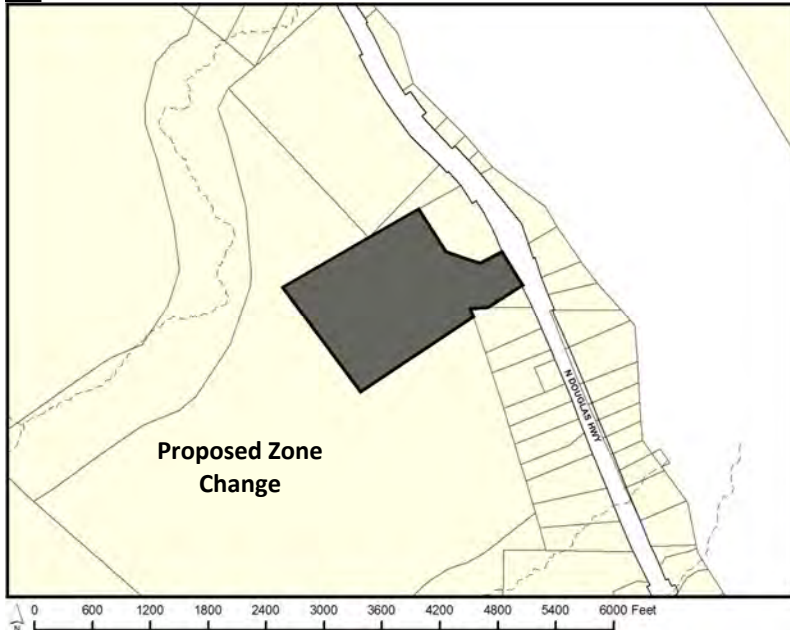
<i>Type</i>	<i>General Location</i>
Wildlife (Eagle nests)	8 eagle nests in Douglas and South Douglas (2006 data)
Stream and Lakeshore Corridors	Kowee, Bear, Lawson, Bullion, Ready Bullion, and Nevada Creeks
Wetlands/Tidelands	Mouth of Kowee and Lawson creeks, along the shoreline south of downtown Douglas, 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
Mail: Community Development, 155 S. Seward St, Juneau AK 99801

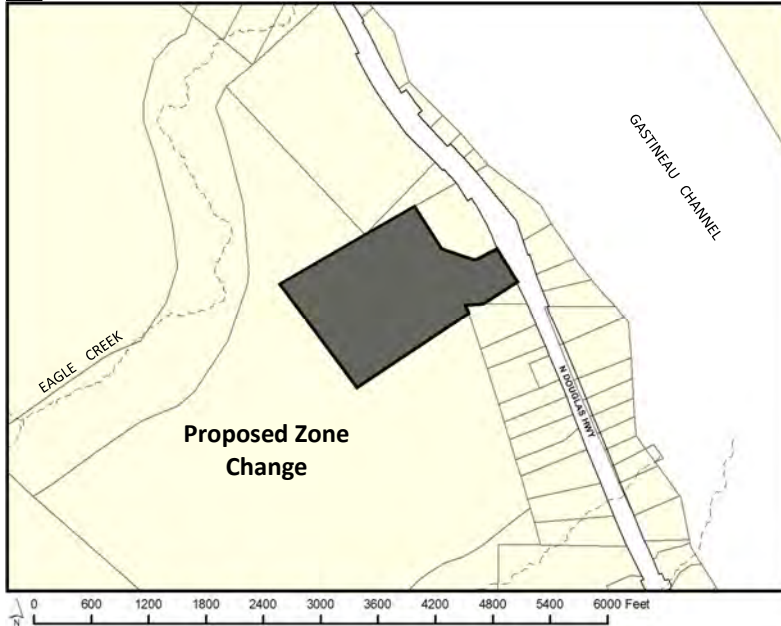
Printed March 9, 2021

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



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.

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.

Printed February 25, 2021

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



Attachment B - Abutters Notice and Public Notice Sign Photo



Attachment B - Abutters Notice and Public Notice Sign Photo





Attachment C - Permissible Use Comparison Table

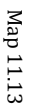
	Use description	D15	LC	GC	
1.110	Single-family detached; one dwelling per lot	1	1	1	No change from current to proposed zoning
1.120	Single-family detached; two dwellings per lot				Not allowed in this zoning district
1.130	Single-family detached; accessory apartment	1,3	1,3	1,3	1 = Department approval
1.140	Single-family detached, two dwellings per lot, accessory apartments				3 = Planning commission approval
1.200	Duplex	1	1	1	1,3 = Dept approval if minor; 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 E - 2009 Traffic Impact Analysis, North Douglas Highway and roundabout

City and Borough of Juneau
North Douglas Highway Rezone

Traffic Impact Analysis
August 2009

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 10th 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

Prepared for:
City and Borough of Juneau
155 S Seward Street
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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

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 10th 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

City and Borough of Juneau
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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

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

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North Douglas Highway Rezone

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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 10th 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 prepared¹.
- 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.

¹ 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)	Population Estimates			
		Year	AK Dept. of Labor	CBJ Comm. Dev. Dept	
				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

City and Borough of Juneau
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Traffic Impact Analysis
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Table 2- Building Permit Records	
Year	No. Res. Units Added
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.

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Table 3 - Occupancy and Vacancy Data							
	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 percent². 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."³

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)

² All of these vacancy factors came from CDD's 2008 population estimate.

³ 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.

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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

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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.

Table 4 - Population and Housing Growth Projection		
Year	Pop. @ 1.0%/yr.	Dwelling Units @ 1.2%/yr
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

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Table 4 - Population and Housing Growth Projection		
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 2030⁴. 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):

Table 5 - Housing Mix in 2008		
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

⁴ 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.

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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:

Table 6 - Housing Mix Comparison: 2001-2008			
Housing Mix in 2001			2008
Housing Type	Total Units	% of Whole	% of Whole
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

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Table 6 - Housing Mix Comparison: 2001-2008			
Housing Mix in 2001			2008
Housing Type	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):

Table 7 - Housing Mix Comparison, New Units: 2020 to 2030				
Housing Mix in 2020, New Units			Housing Mix in 2030, New	
Housing Type	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

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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

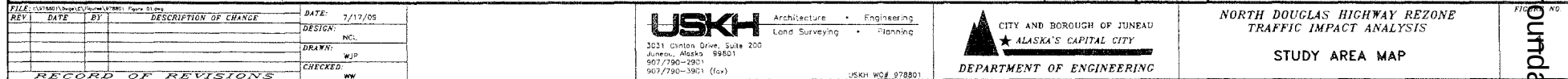
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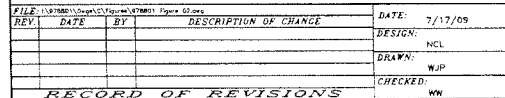
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lots comprise 148,104 square feet. At D-18, the three lots could host 61 DUs; a total of 151 units supplying traffic to the intersection location shown for Parcel 2.

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.





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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.

Table 8 - Section One, Uphill Side, Development Potential Scenarios				
Parcel	Usable Acres	No. DU @ D-10	No. DU @ D-15	No. DU @ D-18
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

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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.

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Table 9 - Development Potential, Kowee Creek to Bonnie Brae					
		Existing DU	New DU Potential		
Section One	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
Section Two	Water Side of NDH	115	20	20	20
	Uphill Side of NDH	63	60	60	60
Section Three	Water Side of NDH	2	10	10	10
	Bonnie Brae Sub.	112	74	74	74
Totals		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.

Table 10 - North Douglas Sewer - Growth Projection Summary							
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
Totals	773	296	951	515	1,435	1,689	4,938
Source: North Douglas Sewer Conceptual Design and Technical Report, CBJ Engineering Department, December 1985							

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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.

Table 11- ITE Land Uses and Descriptions	
Land Use	Description
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

City and Borough of Juneau
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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.

Table 12 - Project Trip Generation, D-10 Zoning							
	Dwelling 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
Total							

Source: ITE Trip Generation Manual (8th Edition)

Table 13 - Project Trip Generation, D-15 Zoning							
	Dwelling 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
Total							

Source: ITE Trip Generation Manual (8th Edition)

Table 14 - Project Trip Generation, D-18 Zoning							
	Dwelling 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
Total							

Source: ITE Trip Generation Manual (8th 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 10th 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/10th 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 10th 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.

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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 10th 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.

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3.3.1 Existing Conditions

Existing traffic operations were analyzed as a means of comparison against 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.

Table 16- Existing Level of Service Summary – AM Peak Hour			
Location			
	LOS¹	Delay²	V/C³
Egan/10 th	E	57.0	1.12
Douglas Hwy/NDH	B	12.5	0.77
1. LOS = level-of-service 2. Average control delay for intersection (sec/veh) 3. V/C = volume to capacity ratio			

Table 17 - Existing Level of Service Summary – PM Peak Hour			
Location			
	LOS¹	Delay²	V/C³
Egan/10 th	D	51.0	1.17
Douglas Hwy/NDH	A	8.4	0.65
1. LOS = level-of-service 2. Average control delay for intersection (sec/veh) 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.

Table 18- Future Level of Service Summary – AM Peak Hour									
Location	D-10 Development			D-15 Development			D-18 Development		
	LOS¹	Delay²	V/C³	LOS	Delay	V/C	LOS	Delay	V/C
Egan/10 th	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 2. Average control delay for intersection (sec/veh) 3. V/C = volume to capacity ratio									

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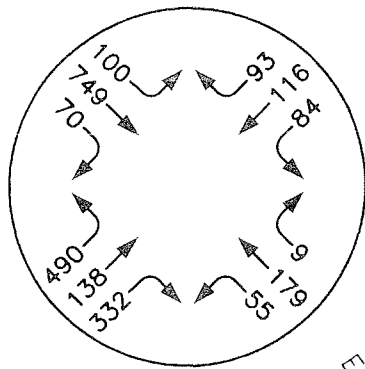
Table 19- Future Level of Service Summary – PM Peak Hour									
Location	D-10 Development			D-15 Development			D-18 Development		
	LOS ¹	Delay ²	V/C ³	LOS	Delay	V/C	LOS	Delay	V/C
Egan/10 th	F	184.4	2.18	F	244.6	2.58	F	361.9	3.11
Douglas Hwy/NDH	B	13.7	0.71	C	24.2	0.90	E	48.0	1.00
1. LOS = level-of-service 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.

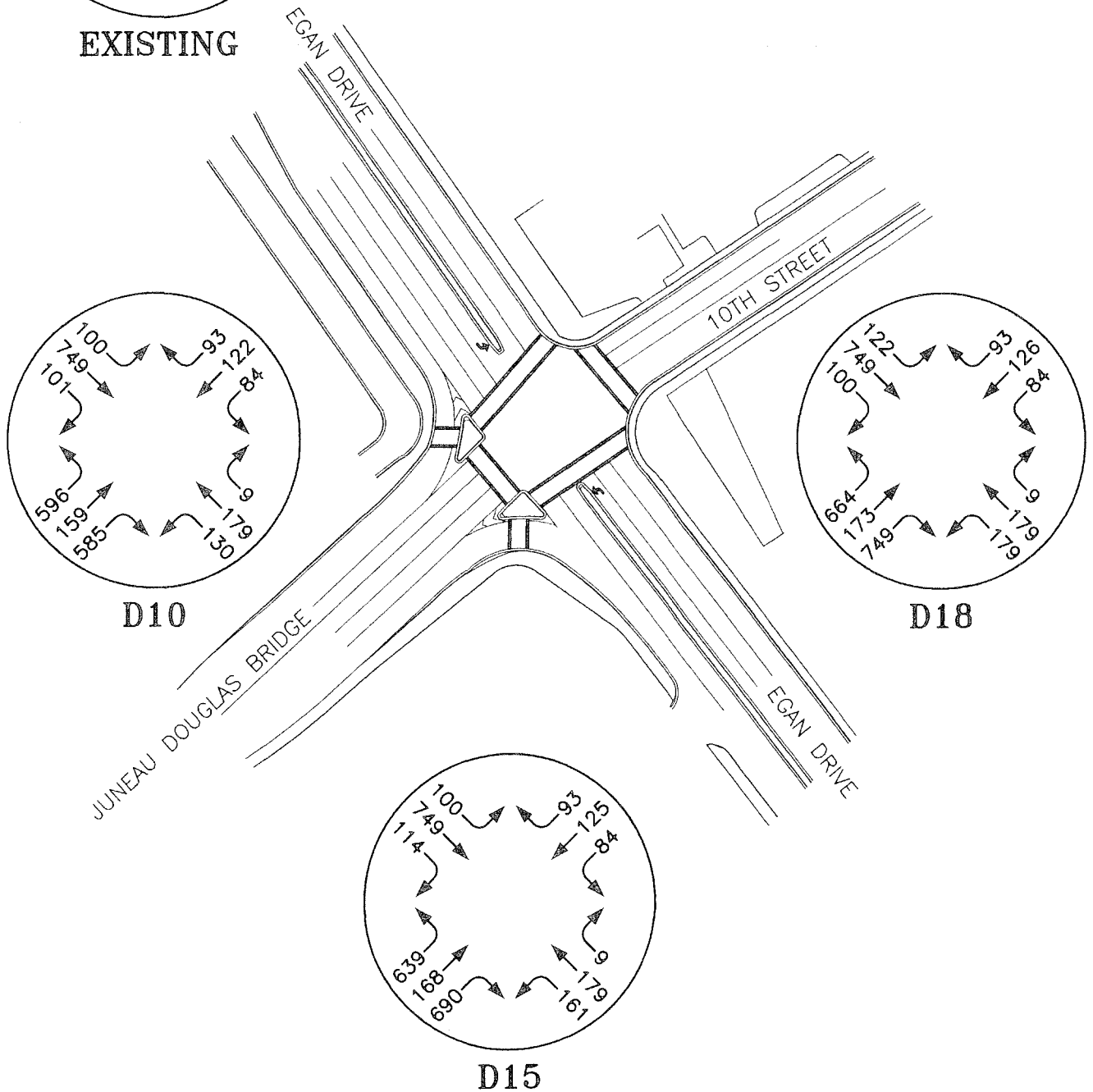
The intersections were also evaluated to estimate how much additional traffic could be added before the LOS was reduced to F. At Egan Drive/10th Street, the limiting time was the PM peak hour. The intersection would be able to accommodate an additional 517 entering vehicles before reaching LOS F during 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.

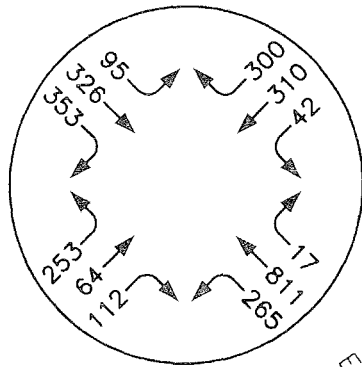
At the Douglas Highway/NDH roundabout, the AM peak hour was the limiting time, at which time the roundabout would be able to accommodate an additional 334 vehicles before reaching LOS F. This corresponds to an additional 184 dwelling units at Composite Rate A plus an additional 481 dwelling units at 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.

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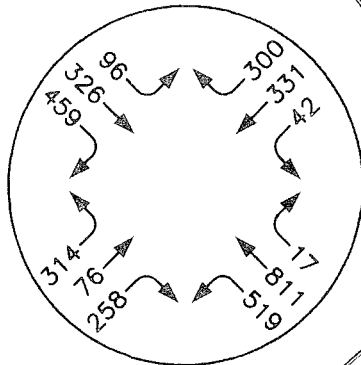


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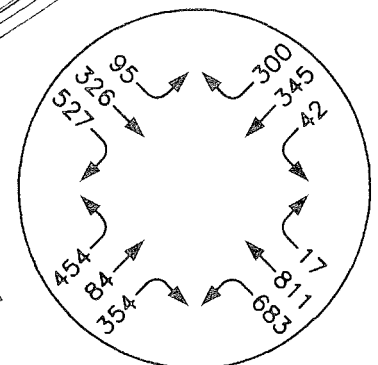




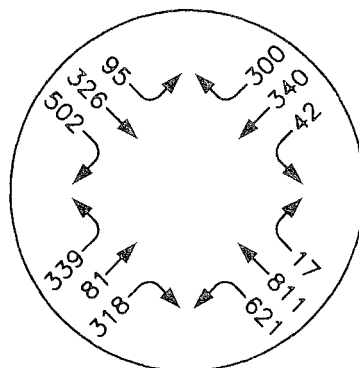
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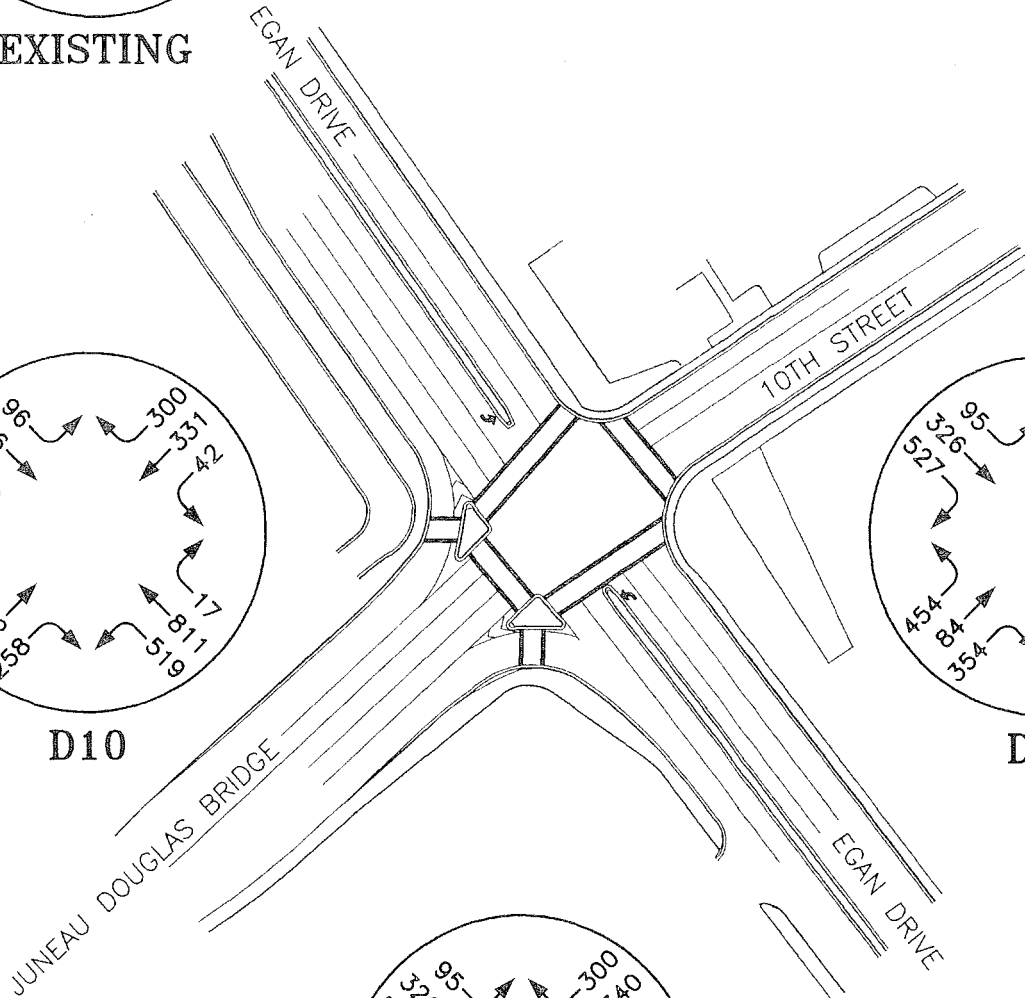
D10



D18



D15



USKH
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CITY AND BOROUGH OF JUNEAU
★ ALASKA'S CAPITAL CITY

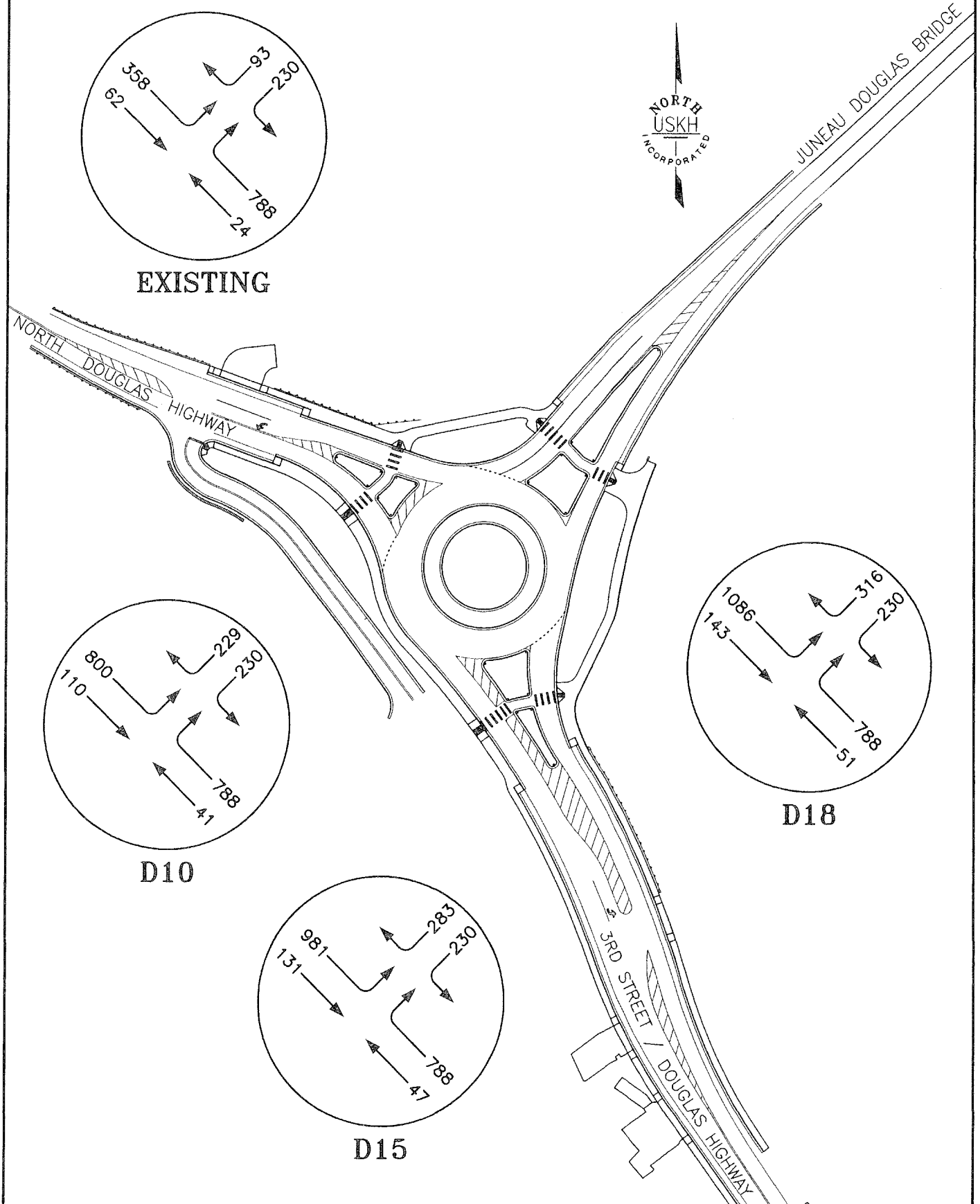
DEPARTMENT OF ENGINEERING

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

FIGURE NO.

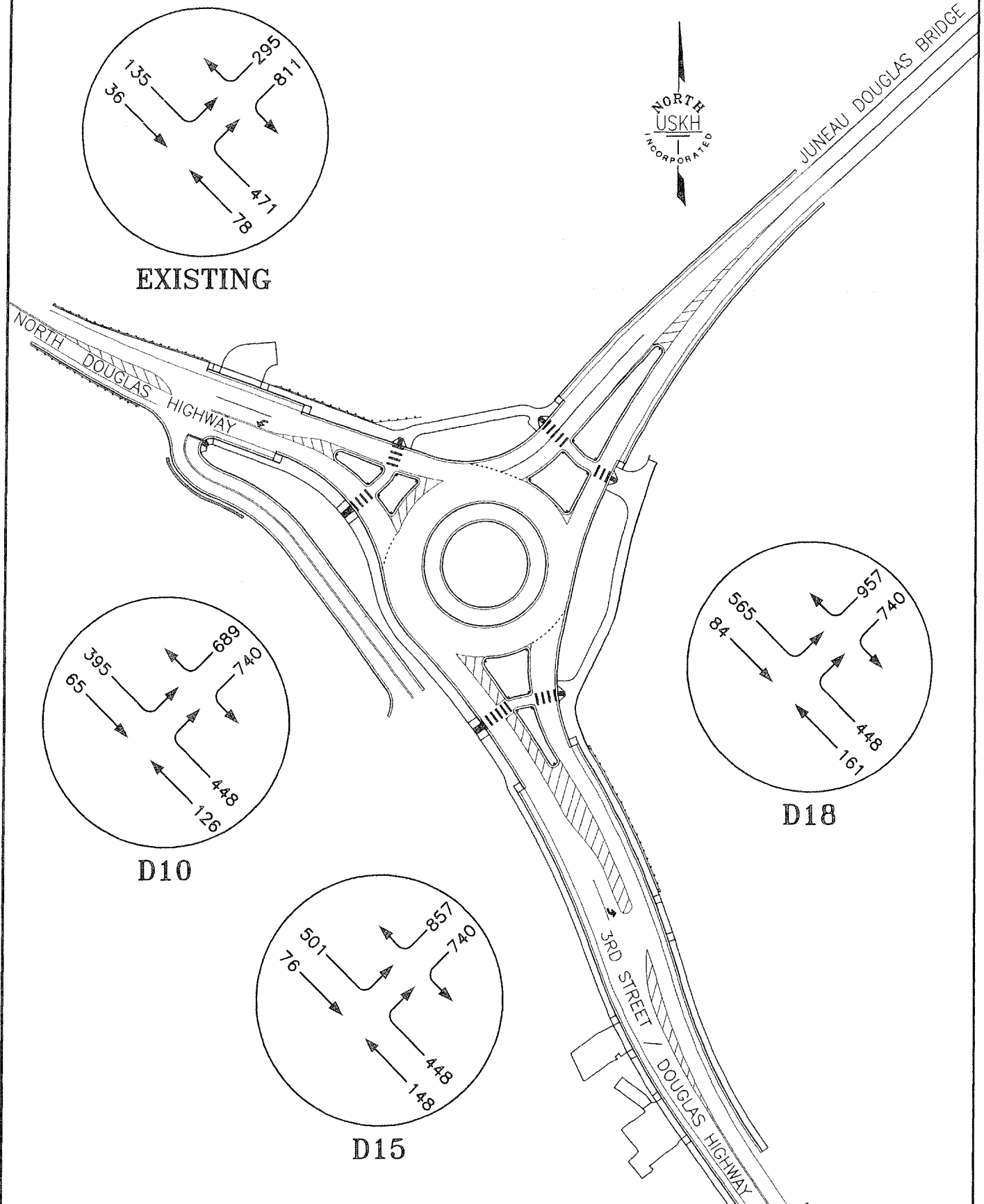
4

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



USKH Architecture • Engineering Land Surveying • Planning	 CITY AND BOROUGH OF JUNEAU ★ ALASKA'S CAPITAL CITY DEPARTMENT OF ENGINEERING	PROJECT: NORTH DOUGLAS HIGHWAY REZONE TRAFFIC IMPACT ANALYSIS	FIGURE NO. 5
		TITLE: AM VOLUME DATA FOR THE DOUGLAS ROUNDABOUT	
		CLIENT: CITY & BOROUGH OF JUNEAU	

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



USKH Architecture • Engineering Land Surveying • Planning	 CITY AND BOROUGH OF JUNEAU ★ ALASKA'S CAPITAL CITY DEPARTMENT OF ENGINEERING	PROJECT: NORTH DOUGLAS HIGHWAY REZONE TRAFFIC IMPACT ANALYSIS	FIGURE NO. 6
		TITLE: PM VOLUME DATA FOR THE DOUGLAS ROUNDABOUT	
		CLIENT: CITY & BOROUGH OF JUNEAU	

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August 2009

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.

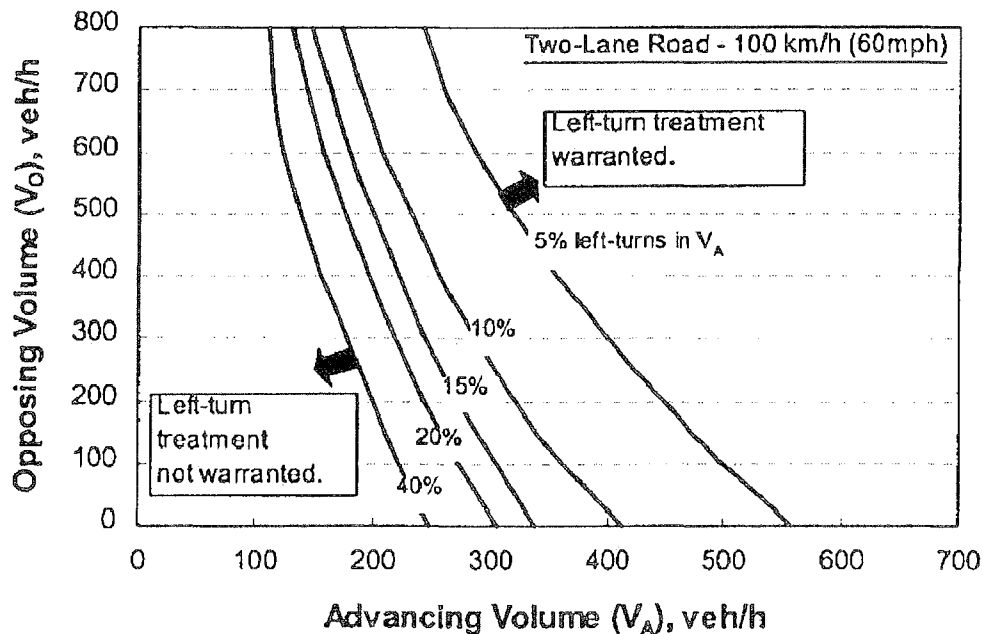


Figure 7 Left-Turn Lane Thresholds

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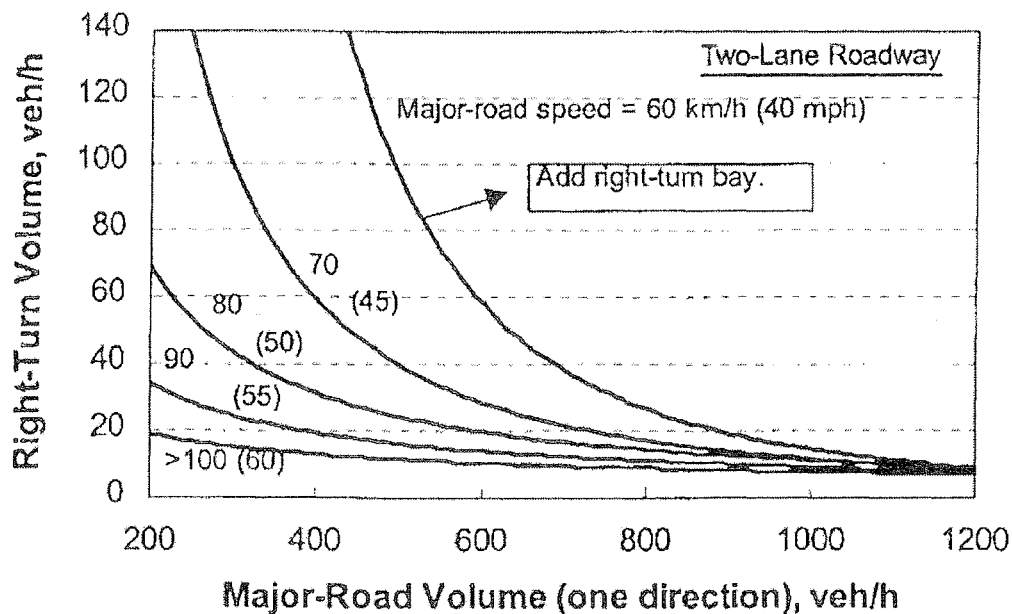


Figure 8 Right-Turn Lane Thresholds

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 10th 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 10th 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 10th 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

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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.

Table 20 - Collisions by Year	
Year	No.
2003	12
2004	7
2005	5
2006	6
2007	7
Total	37

Table 21 - Collisions by Location	
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

Table 22 - Collisions by Type	
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 10th 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.

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City and Borough of Juneau
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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 10th 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.



(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

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AGENCY COMMENTS (CONTINUED):



(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.

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

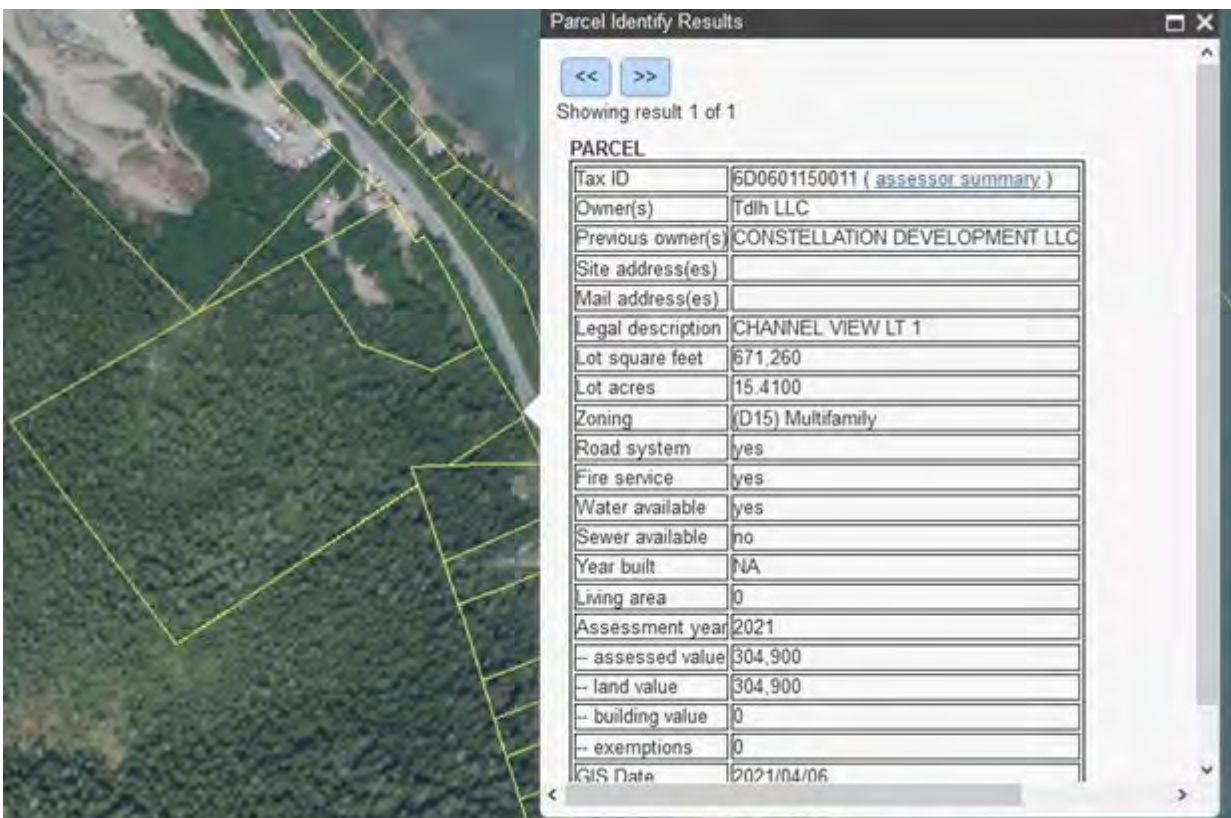
From: [Bizzarro, Caleb T \(DOT\)](#)
To: [Laurel Christian](#); [Joseph Meyers](#)
Cc: [Heidemann, Marie E \(DOT\)](#)
Subject: DOT&PF SCR Review Feedback for Douglas Hwy Rezone & Subdivision requests
Date: Friday, April 16, 2021 4:13:17 PM
Attachments: [image001.png](#)
[image002.png](#)
[Narrative.pdf](#)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

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

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>

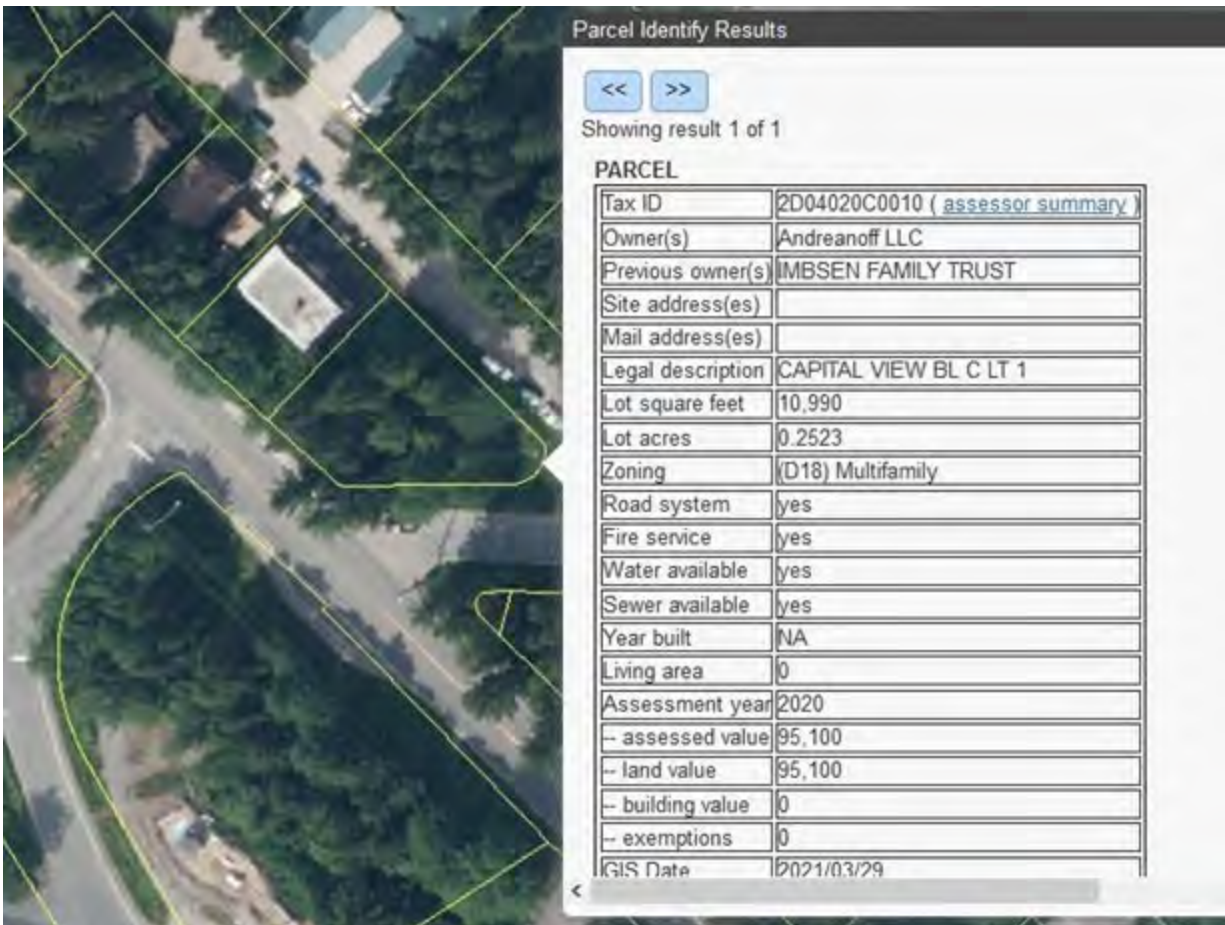
Design & Construction Standards: <http://dot.alaska.gov/stwddes/dcsrow/resources.shtml>

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



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

Attachment F - Agency Comments

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

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

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 2nd 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](#)

Thank you!

Joseph Meyers | Planner I

[Community Development Department](#) | City & Borough of Juneau, AK

230 S. Franklin Street, 4th Floor Marine View Building

Main Line: 907.586.0715

Personal Line: 907.586.0466

He/him/his



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.

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

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

Hello Mr. Meyers,

Thank you for sharing the recording of the neighborhood meeting with Travis Arndt who explained his interest in re zoning 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 that 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

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

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.

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

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.

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.

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**

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.

The Commission agreed that accessory apartment language 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.

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

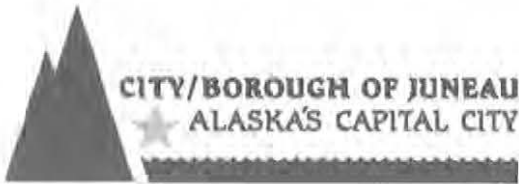
The Public Works Committee met two weeks ago, said Mr. Watson. It discussed street vacations, said Mr. Watson. That will be coming towards the next Planning Commission meeting, said Mr. Watson.

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



**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

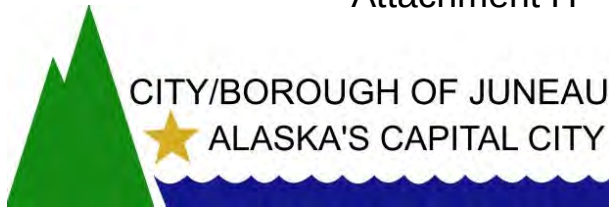
Project Planner: Chris McNally
Chrissy McNally, Planner
Community Development Department

Demetrius J. Satri
Michael Satre, Chair
Planning Commission

Jamie J. Davis
Filed With City Clerk

12/2/14
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.



Community Development Department

MEMORANDUM

Date: November 13, 2014

To: Planning Commission

From: Travis Goddard, Planning Manager
Community Development Department

A handwritten signature in black ink, appearing to read "Travis Goddard".

File No: AME2013 0016

Re: Supplemental Public Input and Analysis

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.

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

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).

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*

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.

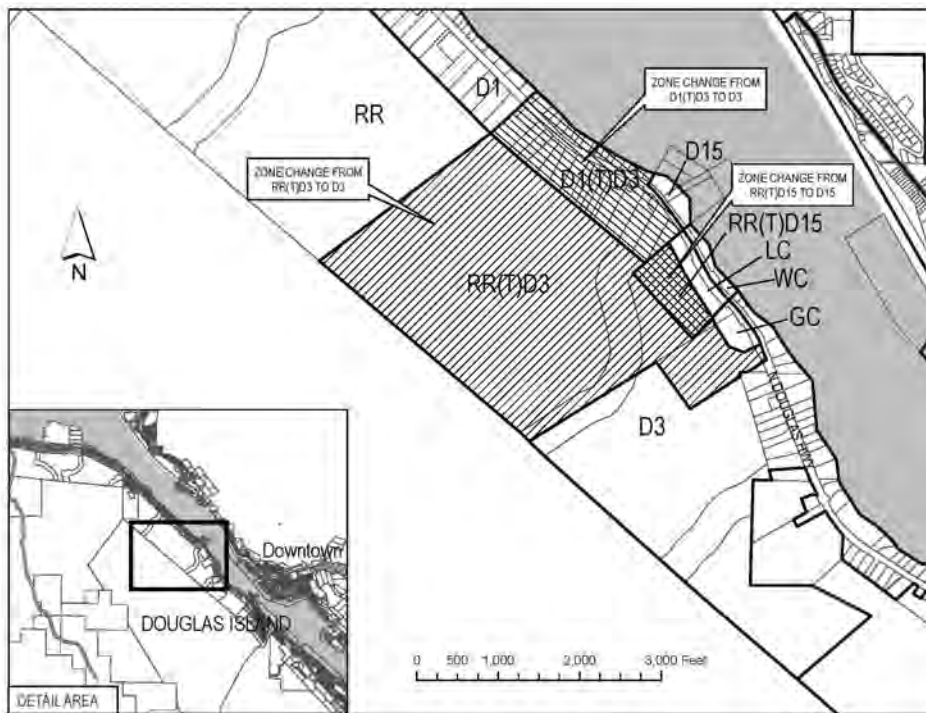
After meeting with Mr. Stitz, staff understands his concerns. Staff indicated to Mr. Stitz they would recommend that his property be excluded from the up-zone and simply be rezoned to the transition zone of D-3. Staff made this conditional upon his understanding that such an action would mean that any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

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

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.

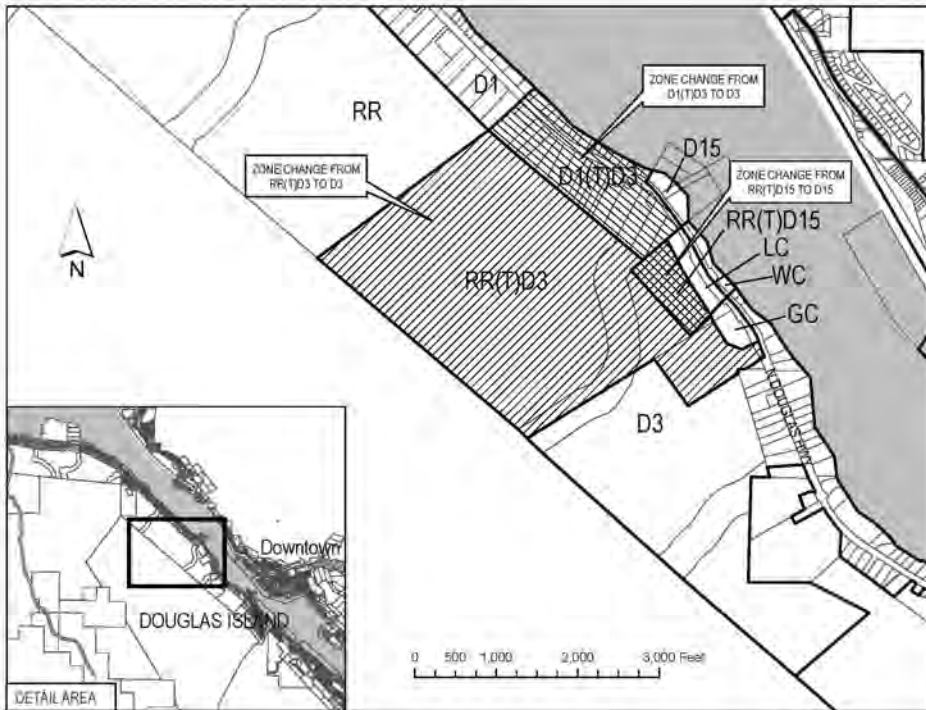


*If you have questions, please contact Travis Goddard at
travis.goddard@juneau.org or at 586-0715.*

Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at
www.juneau.org/plancomm.



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.

File No:	AME2013 0016	Applicant:	City and Borough of Juneau
To:	Adjacent Property Owners	Property PCN:	Multiple
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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.

Travis Goddard

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

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.

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-zone 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.

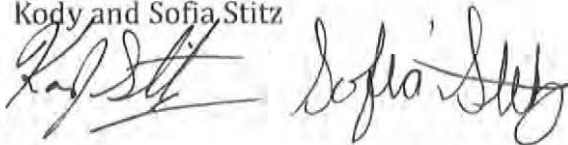
3. Lastly, a change to D-5 is not fully consistent with the adopted 2013 Comprehensive Plan. Page 14 of the Comp Plan describes rural areas of Juneau as follows: "Rural: Rural areas can be found in the forested areas west of the Mendenhall River and in Thane, North Douglas... Vacant parcels within rural 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.

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

The block contains two handwritten signatures in black ink. The signature on the left is for Kody Stitz, and the signature on the right is for Sofia Stitz. Both signatures are written in a cursive, flowing style.

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)

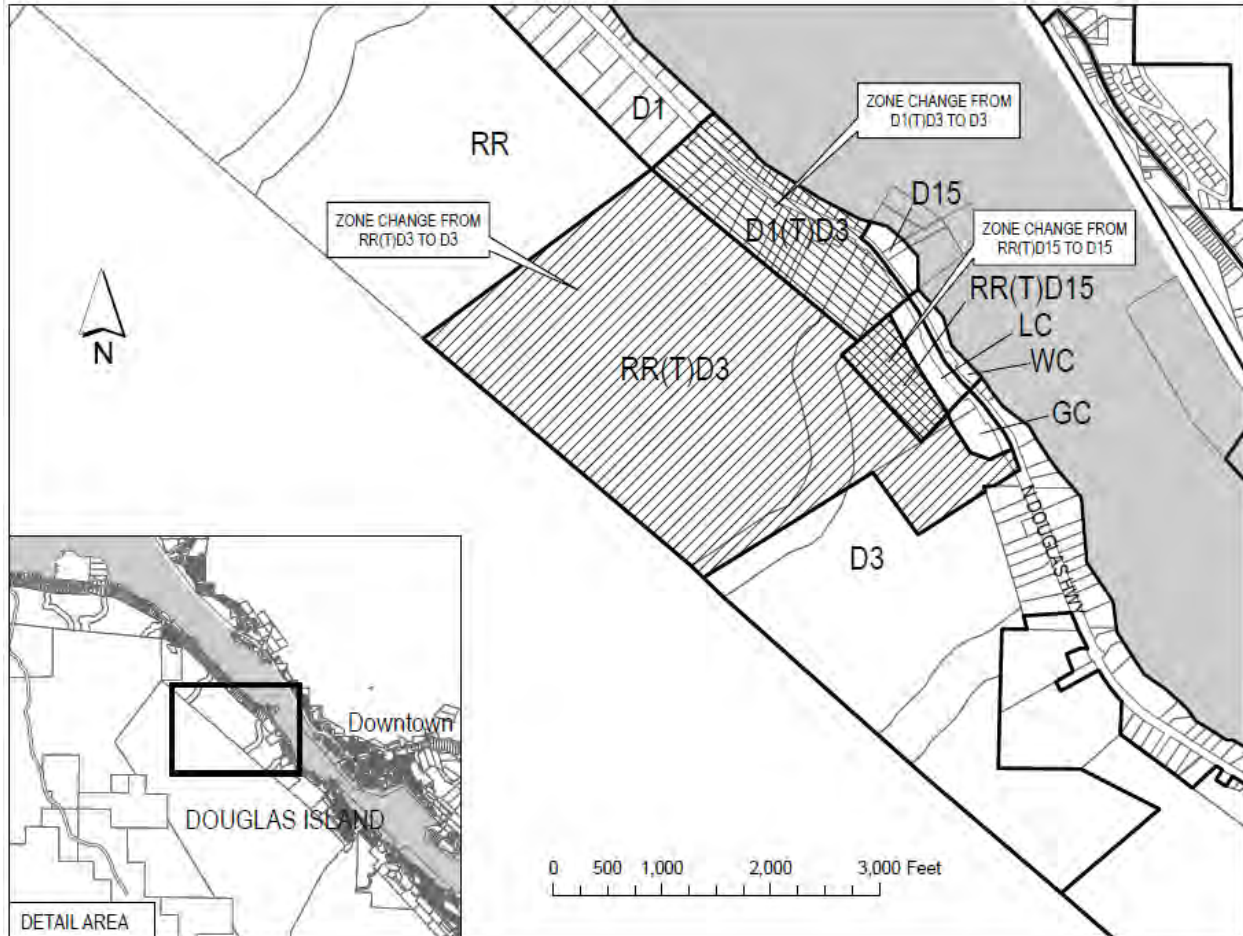
Utilities: CBJ water and sewer

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

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
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Parcel Code No.	Legal Description	Current Zoning	Transition Zone	Acres
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

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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

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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

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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:

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

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.

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.

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

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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

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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 10th 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 10th 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

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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

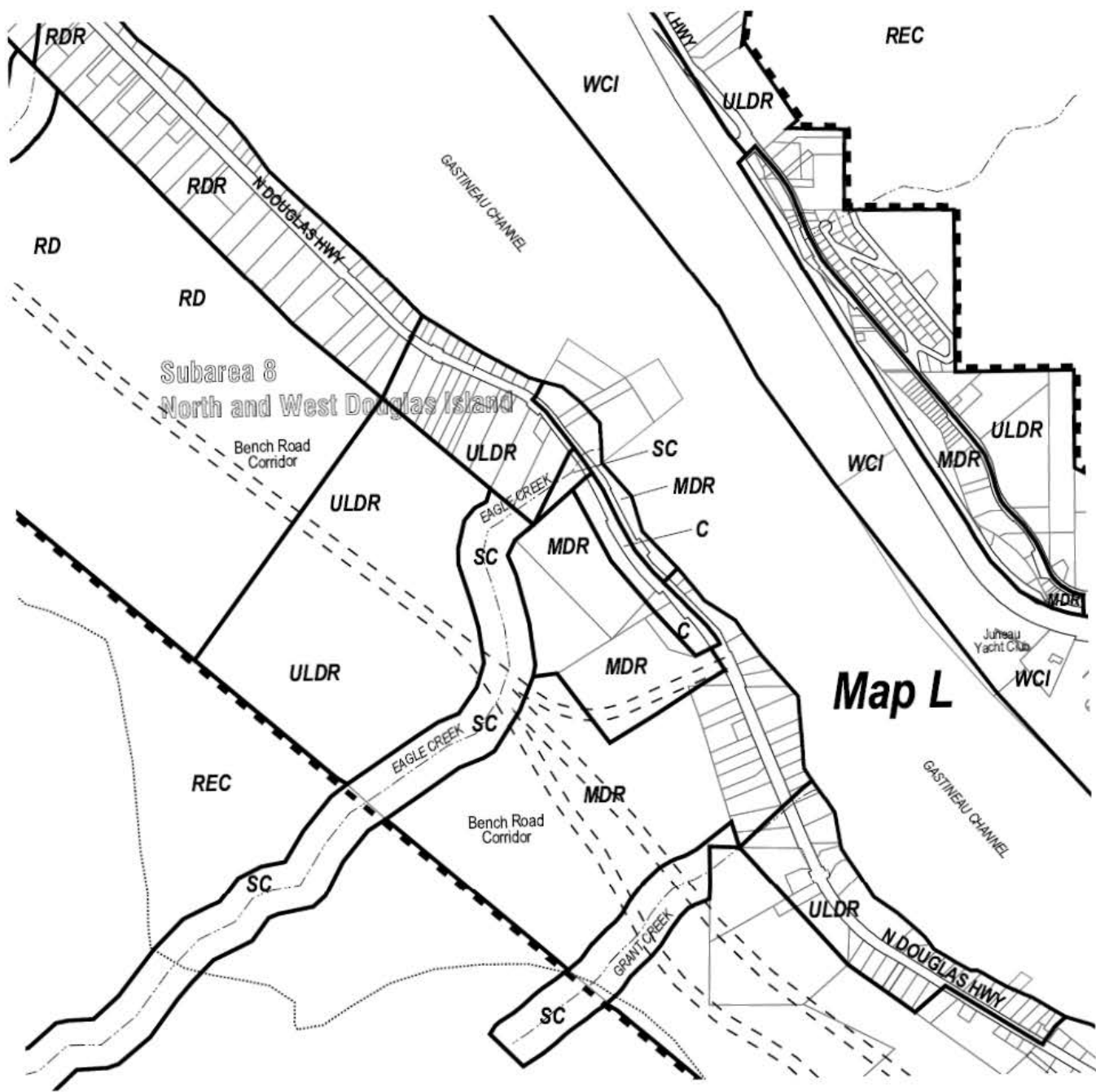
Staff recommends the following:

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.





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.

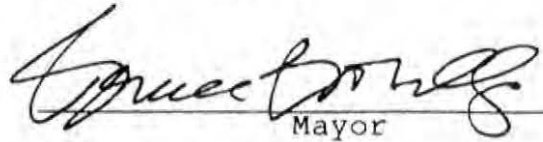
* Section 2. Amendment of Official Zoning Map. The official zoning map of the city and borough adopted pursuant to CBJ 49.25.110 is amended as shown on the attached Exhibit "A" to change the zoning of a portion of Lot 3, U.S. Survey 3381, from RR(T)D-3 (rural reserve transition to D-3 residential) to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

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

Adopted this 6th day of March, 1989.



Mayor

Attest:



Clerk

Received
on

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.

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

Adopted this 6th day of March, 1989.



Mayor

Attest:



Clerk

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 6th day of October, 1997.


Dennis Egan, Mayor

Attest:


Marian J. Miller, Clerk



NOTICE OF PUBLIC HEARING

Attachment H - Agenda Materials

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.

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

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.

ATTACHMENT F

Date notice was printed: August 5, 2014



**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 25th 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 26th 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.

Enclosure: List of properties to be rezoned

cc: File number AME2013 0016

Presented by: Planning Comm.

Presented: 07/12/2021

Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-27

An Ordinance Amending the Comprehensive Plan Land Use Designation Map near 4650 North Douglas Highway from Medium Density Residential to High Density Residential.

WHEREAS, the area of the proposed Comprehensive Map Amendment, Channel View Lot 1, consists of 15.41 acres, and is located near 4650 North Douglas Highway; and

WHEREAS, the land use maps of the Comprehensive Plan identify the subject lot as Medium Density Residential (MDR); and

WHEREAS, the MDR designation is characterized by urban residential lands for multifamily dwelling units at densities ranging from 5 to 20 units per acre and where any commercial development should be of a scale consistent with a residential neighborhood, as regulated in the Table of Permissible Uses; and

WHEREAS, upon considering a rezone request for the subject property, the Planning Commission recommended the Assembly amend the Comprehensive Land Use Map from MDR to High Density Residential (HDR); and

WHEREAS, the HDR designation is characterized by urban residential lands suitable for new, in-fill or redevelopment housing at high densities ranging from 18 to 60 units per acre. Commercial space may be an element of developments on properties under this designation, as regulated in the Table of Permissible Uses (CBJ 49.25.300); and

WHEREAS, the Land Use Maps of the Comprehensive Plan may be amended by the Assembly as necessary to reflect changing conditions when in the best interest of the community; and

WHEREAS, the CBJ Comprehensive Plan recommends the facilitation of various housing types and densities that are appropriately located in relation to site conditions, surrounding land uses, and capacity of public facilities and transportation systems.

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 of Juneau Municipal Code.

Section 2. Amendment to Comprehensive Plan Land Use Map. The Land Use Maps of the Comprehensive Plan of the City and Borough are amended to change the land use designation of Channel View Lot 1 (Parcel # 6D0601150011) on Douglas Island from Medium Density Residential (MDR) to High Density Residential (HDR).

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



Planning Commission

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

PLANNING COMMISSION NOTICE OF RECOMMENDATION

Date: May 19, 2021
Case No.: AME2021 0001

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

Proposal: Planning Commission Recommendation to the City and Borough Assembly regarding a request to rezone 15.41 acres of land from D15 to General Commercial, General Commercial/Light Commercial, or Light Commercial

Property Address: North Douglas Highway

Legal Description: Channel View Lot 1

Parcel Code Number: 6D0601150011

Hearing Date: May 11, 2021

The Planning Commission, at its regular public meeting, recommended that the City & Borough Assembly approve a modified request to rezone 15.41 acres of land from D15 to Light Commercial at Channel View Lot 1.

The applicant requested to rezone 15.41 acres of land from D15 to General Commercial. After review and analysis, staff determined that Light Commercial (LC) and General Commercial (GC) zoning districts do not substantially conform to the Comprehensive Plan and the Land Use Designation Maps. Staff recommended creation of a transition zone, D15(T)LC, contingent on improvements to transportation infrastructure.

The Commission determined that LC zoning district more substantially conforms to the Land Use Designation Maps than GC, and did not believe that a transition zone was required. The Commission also determined that the Comprehensive Plan Land Use Designation Maps were inaccurate and

City and Borough Assembly
Case No.: AME2021 0001
May 19, 2021
Page 2 of 2

recommended updating the Land Use Designation Maps from Medium Density Residential (MDR) to High Density Residential (HDR) for the 15.41 acres of the requested rezone.

The Commission adopted the following findings:

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

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

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

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?

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?

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?

Finding: Yes. Rezoning 15.41 acres from D15 to Light Commercial zoning conforms with the policies and guidelines of the Comprehensive Plan and substantially conforms to the Land Use Designation Maps.

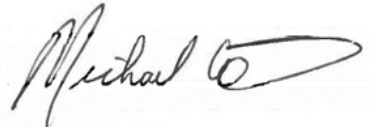
6. Is the proposed zoning district and the uses allowed therein found to be in substantial conformance with Title 49 – Land Use Code, in accordance with CBJ 49.75.120?

Finding: Yes. The proposed rezone is in substantial conformance with Title 49 – Land Use Code.

Attachments: April 30, 2021 memorandum from Joseph Meyers, Community Development, to the CBJ Planning Commission regarding AME2021 0001.

City and Borough Assembly
Case No.: AME2021 0001
May 19, 2021
Page 3 of 2

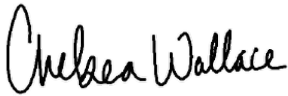
This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of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



Michael LeVine, Chair
Planning Commission

May 19, 2021

Date



Filed With City Clerk

May 19, 2021

Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended text amendment. 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.

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

(907) 586-0715

CDD_Admin@juneau.org

www.juneau.org/CDD

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	
Property Owner	TDLH LLC.
Applicant	Travis Arndt
Property Address	Not Assigned
Legal Description	Channel View Lot 1
Parcel Number	6D0601150011
Zoning	D15
Land Use Designation	MDR
Lot Size	671,260 sq. ft. (15.41 acres)
Water/Sewer	CBJ
Access	North Douglas Highway
Existing Land Use	Vacant
Associated Applications	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:
 - o 49.75.120
 - o 49.10.170(d)
 - o 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

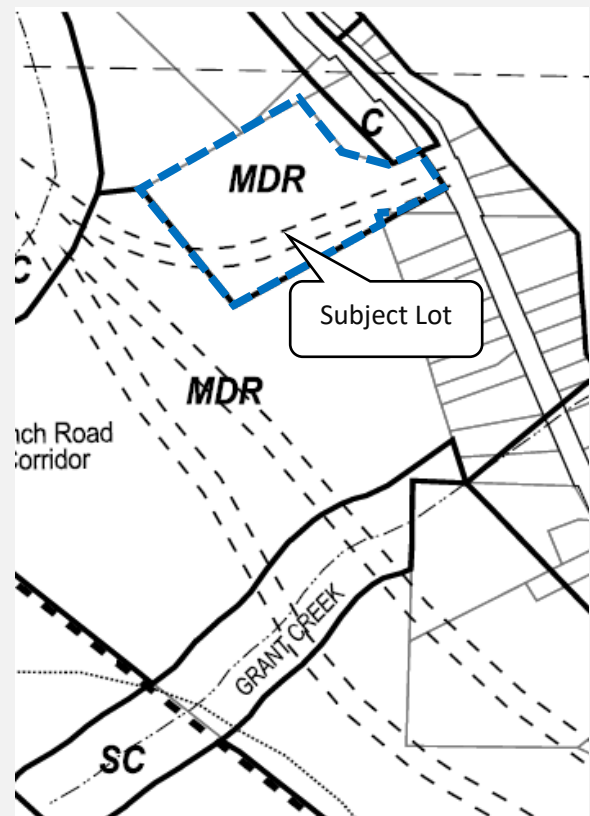
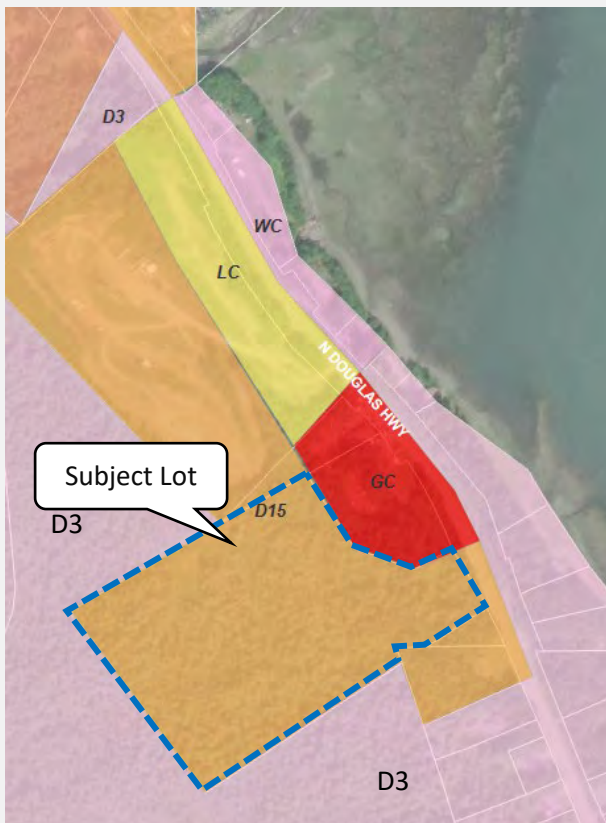


SURROUNDING ZONING AND LAND USES	
North (GC)	Disused rock quarry
South (D3)	Vacant
East (D15)	North Douglas Highway
West (D3)	Vacant

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 10th & 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.

Current Zoning – D15	Applicant's Preferred Zoning – GC	Staff Recommendation – D15(T)LC conditional upon improved access
<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 rezone. 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 D15	Applicant's Preferred Zoning GC	Staff Recommendation* 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
Table of Dimensional Standards Rezoning Request 15.41 Acres	D15 (15/DU Acre)	GC (50/DU Acre)	D15(T)LC (30/DU Acre)
Maximum # of dwelling units, unsubdivided	231 units	770 units	462 units
Maximum # of dwelling units, subdivided	134 units	672 units	336 units
Maximum # of lots, subdivided	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 rezoning 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 rezoning 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 10th and Egan, and the intersection of Douglas Highway and North Douglas Highway. At that time, the Level of Service (LOS) at the 10th 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 10th 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 th & 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 th & 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.

Service	Summary
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.

Resource	Summary
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)*

2013 COMPREHENSIVE PLAN - 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.

2013 COMPREHENSIVE PLAN - 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&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&PF 2010 data, these corridors are:</i> <i>North Douglas Highway – Juneau Douglas Bridge to Eagle Creek – 5,508 AADT</i>
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>

2013 COMPREHENSIVE PLAN - 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.

the adjacent, lower-density housing and to hide or screen the parking behind or within the structure(s).

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 10th 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.

Agency	Summary
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 & 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> <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
	<i>That all said, the TIA is the appropriate process to move forward with analysis of impacts.</i> <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> <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&PF department review team. The application must comply with all federal, state, and local statutes or regulations.</i> <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 & Safety during this time.</i>
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	Concerns: Limited road frontage on a low-visibility curve, with longer turn times for larger vehicles. Encourage sharing an easement with a neighboring lot. Encourage requiring an easement for the bench road. Prohibit mining and similar extraction that will cause large vehicle traffic.

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 to 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 10th 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

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



DEVELOPMENT PERMIT APPLICATION

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

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address 0 North Douglas Highway		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Channel View Lot 1		
	Parcel Number(s) 6D0601150011		
	☐ This property located in the downtown historic district ☐ This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner TDLH, LLC	Contact Person Travis Arndt	
	Mailing Address 10840 Lilac Drive, Juneau, AK 99801	Phone Number(s) 907-321-3118	
	E-mail Address constellation_dev@hotmail.com		
	LANDOWNER/ LESSEE CONSENT Required for Planning Permits, not needed on Building/ Engineering Permits		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X <u>Travis Arndt</u> Landowner/Lessee Signature		<u>1/5/2021</u> Date	
X _____ Landowner/Lessee Signature		_____ Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT If the same as OWNER, write "SAME"			
Applicant SAME	Contact Person		
Mailing Address	Phone Number(s)		
E-mail Address			
X <u>Travis Arndt</u> Applicant's Signature		<u>1/24/21</u> Date of Application	

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 <i>JFM</i>	
Case Number <i>AME 21-001</i>	Date Received <i>1/25/21</i>



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.

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>			
Total Fee	\$ _____			

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

AME 21-001

1/25/21

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.

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.

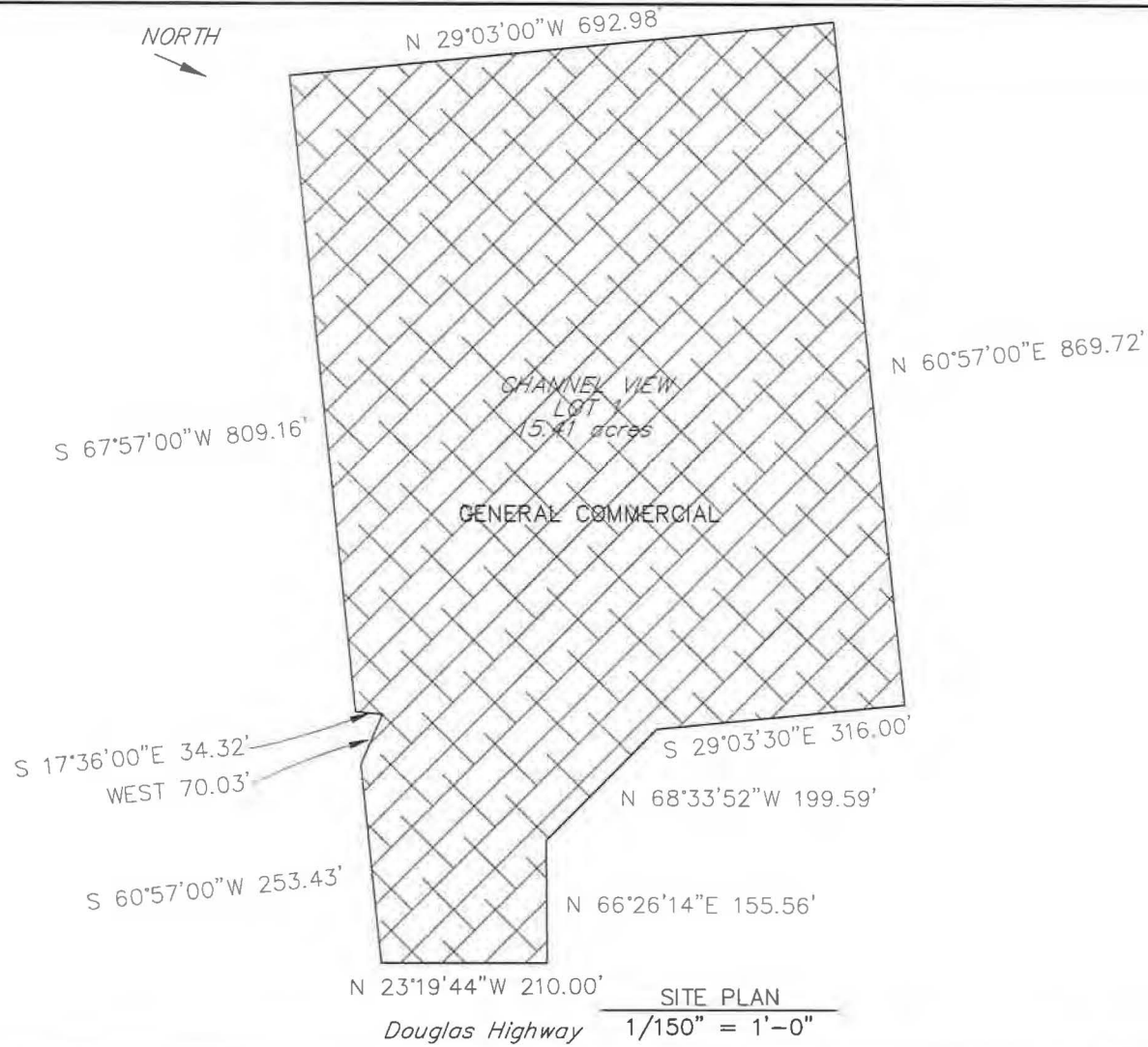
Public Notice Responsibilities: All Zone Change requests must be given the following public notice as outlined in CBJ 49.15.230:

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.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Attachment A - Application Packet



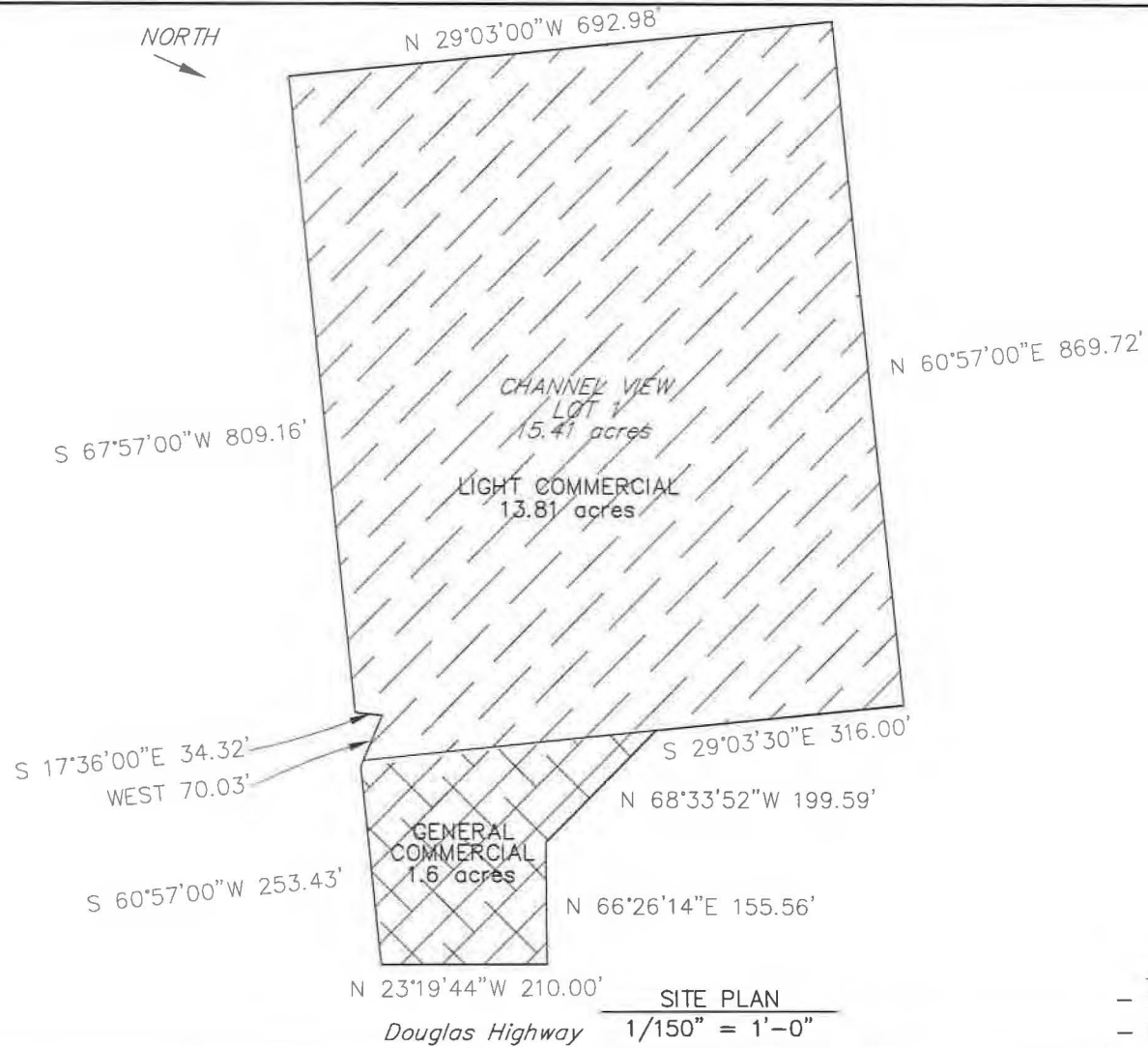
NOTES:
 - REZONE ENTIRE LOT AS GC

CONSTELLATION DEVELOPMENT

Lot 1
 Channel View Subdiv.
 SITE PLAN - Alt. A

10840 L&L Drive
 Aurora, IL 60005
 807-321-3118

Attachment A - Application Packet



NOTES:

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

CONSTELLATION DEVELOPMENT

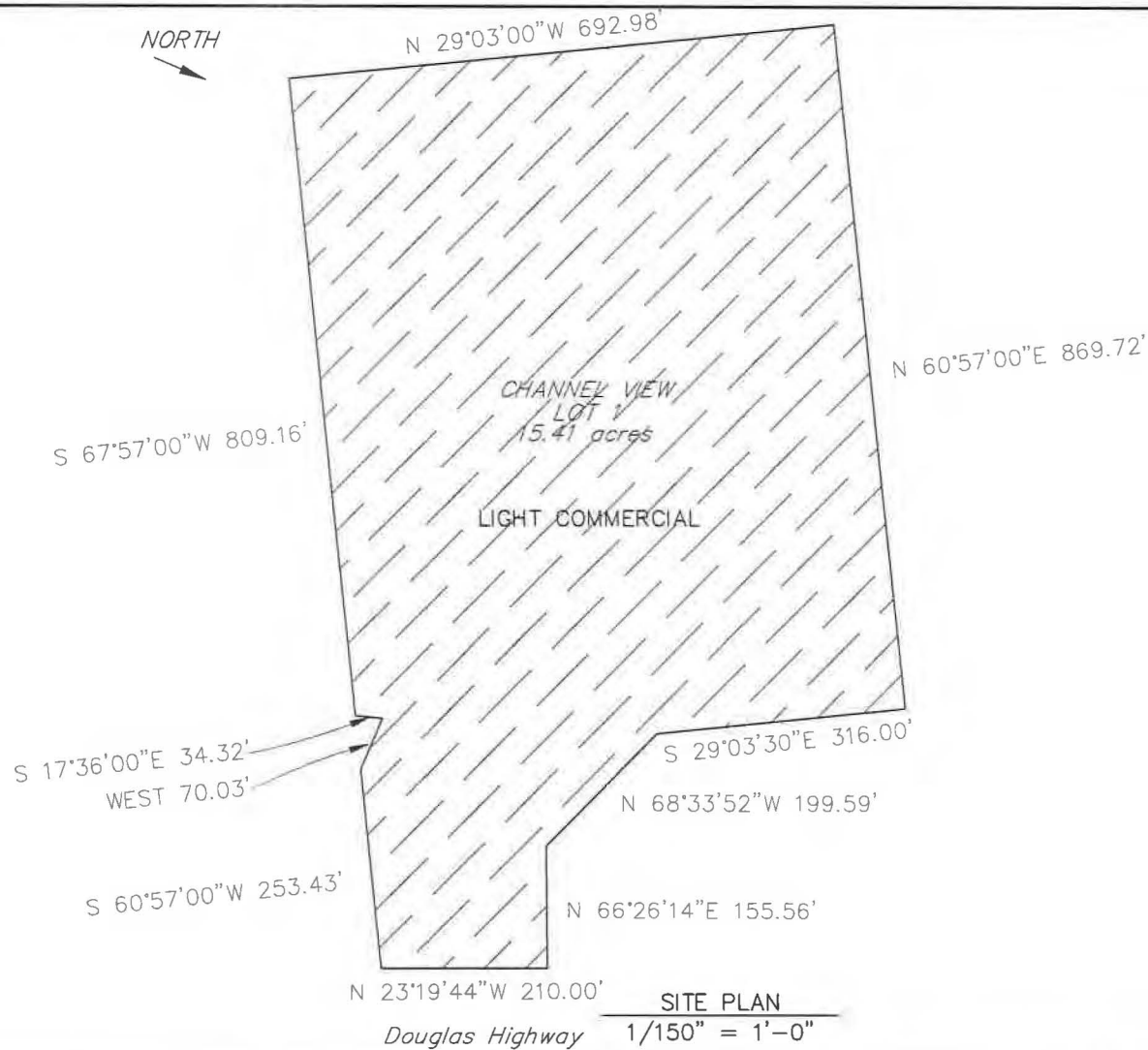
Lot 1

Channel View Subdiv.

SITE PLAN - Alt. B

10040 Liles Drive
Juno, AL 36801
907-321-3118

Attachment A - Application Packet



NOTES:

— REZONE ENTIRE LOT AS LC

CONSTELLATION DEVELOPMENT

Lot 1

Channel View Subdiv.

SITE PLAN — Alt. C

10840 Lico Drive
Atlanta, GA 30328
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.

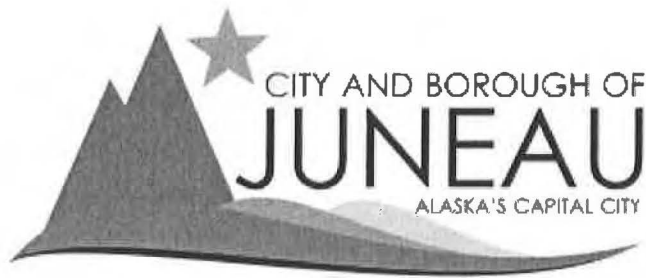
The lot is served by public water and sewer service (located within the urban service area boundary - USAB). The comprehensive plan suggests efficiently developing land within the USAB to medium to high density affordable housing or mixed residential and commercial developments wherever possible and 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

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.



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

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

Legal Desc. 2:

Total PV: \$304900.00

Tax Year: 2020

No. of Units: 000

Garage: No

City Water: Yes

Exempt Land: 0

Year Built: 0

Garage Area: 000000

City Sewer: No

Exempt Building: 0

Lot Size: 15.41

Exempt Total: 0

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.).



(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	constellation_dev@hotmail.com
Laurel Christian Irene Gallion	Planning	Laurel.Christian@juneau.org Irene.Gallion@juneau.org
Kyle Paw	General Engineering	Kyle.paw@juneau.org

Pre-Application Conference Final Report

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 (15 DU/Acre)	LC (30 DU/Acre)	GC (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.

Pre-Application Conference Final Report

- 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)].

Pre-Application Conference Final Report

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.

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

Web: www.juneau.org/cdd
Email: 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).

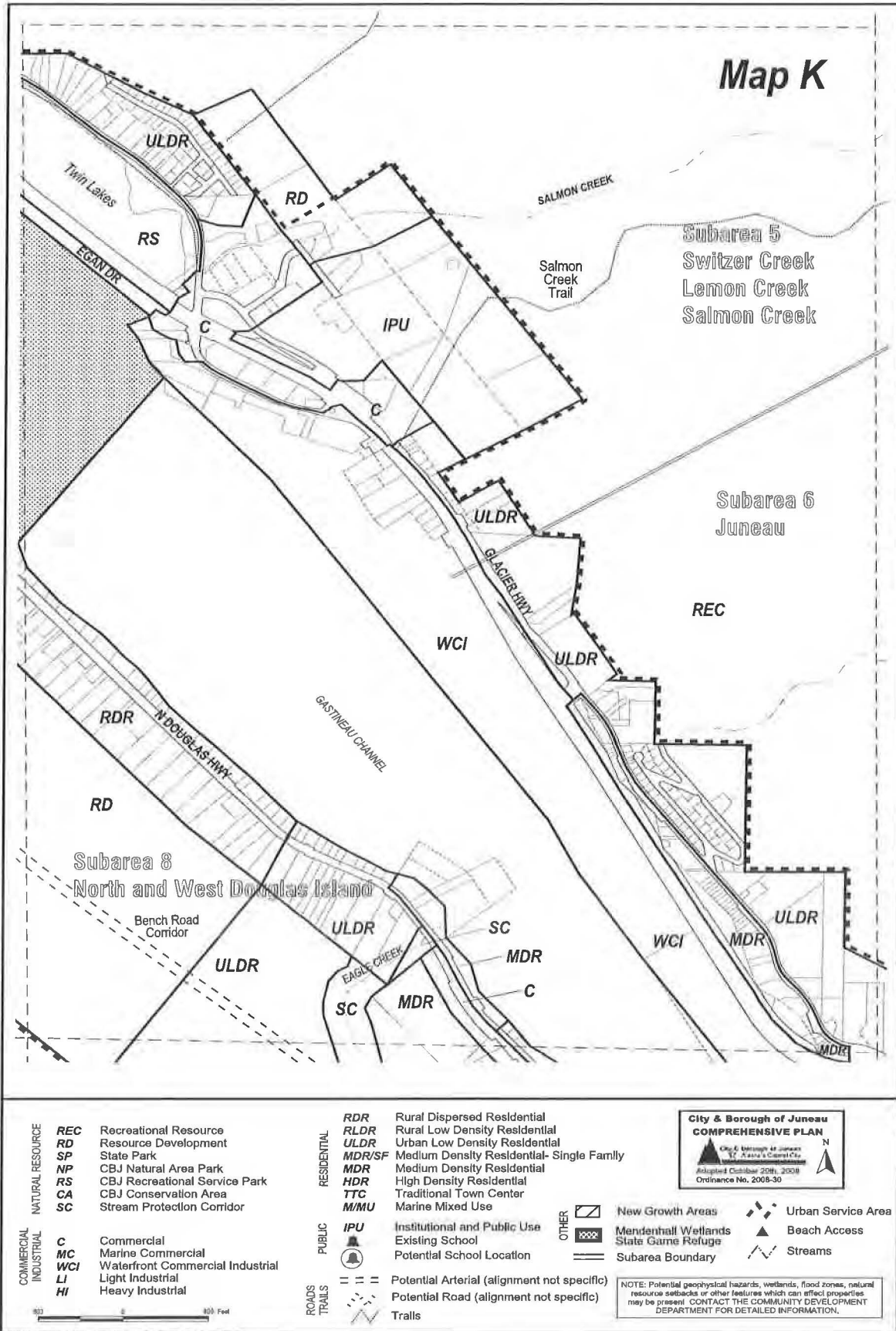
- (b) Protests.

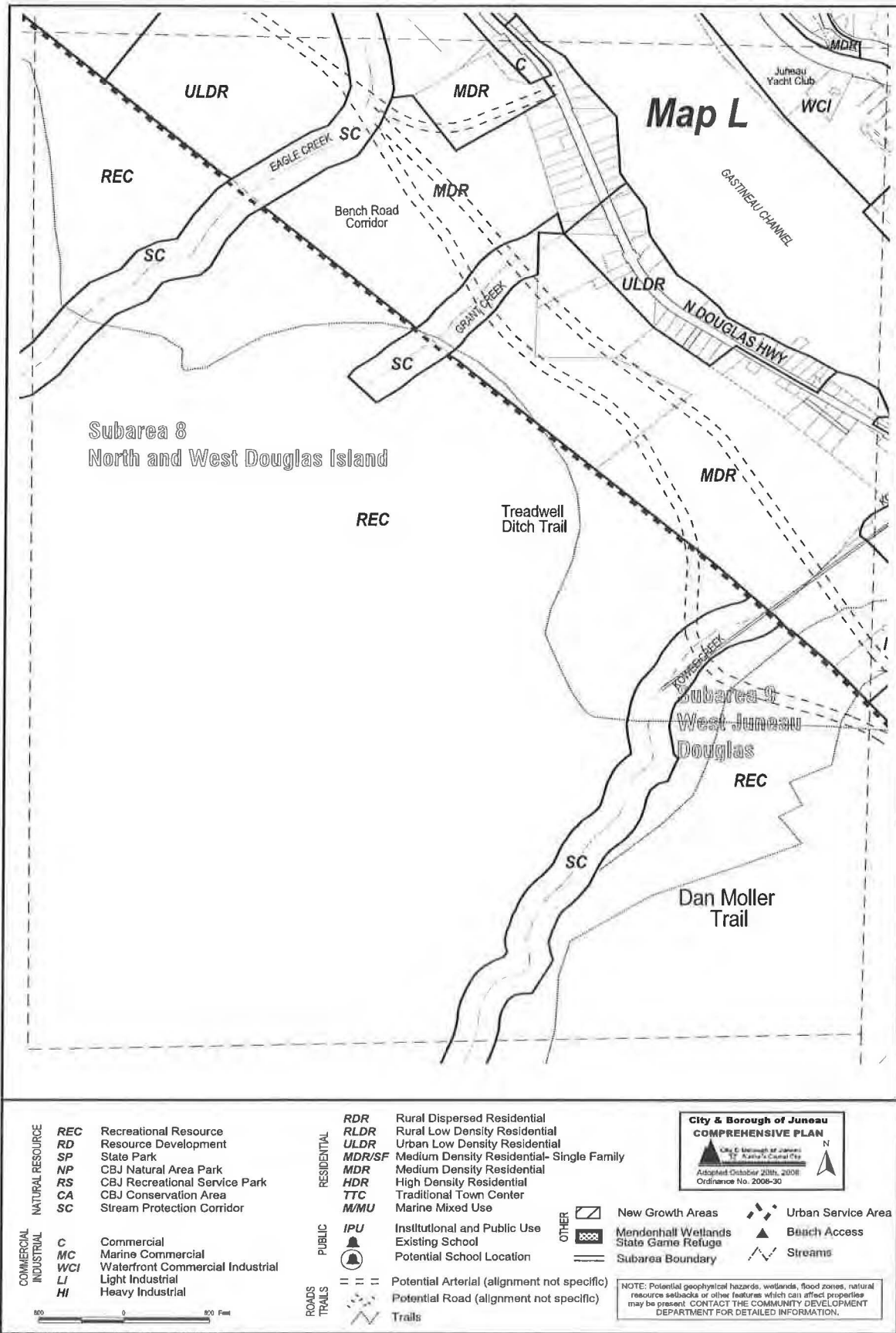
- (1)

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)





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. 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.; 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.

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.

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,

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:

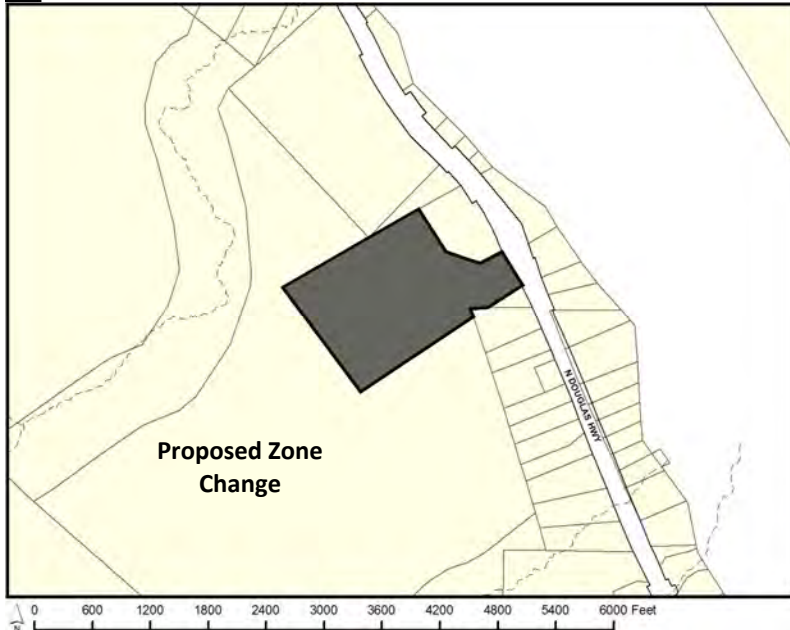
<i>Type</i>	<i>General Location</i>
Wildlife (Eagle nests)	8 eagle nests in Douglas and South Douglas (2006 data)
Stream and Lakeshore Corridors	Kowee, Bear, Lawson, Bullion, Ready Bullion, and Nevada Creeks
Wetlands/Tidelands	Mouth of Kowee and Lawson creeks, along the shoreline south of downtown Douglas, 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
Mail: Community Development, 155 S. Seward St, Juneau AK 99801

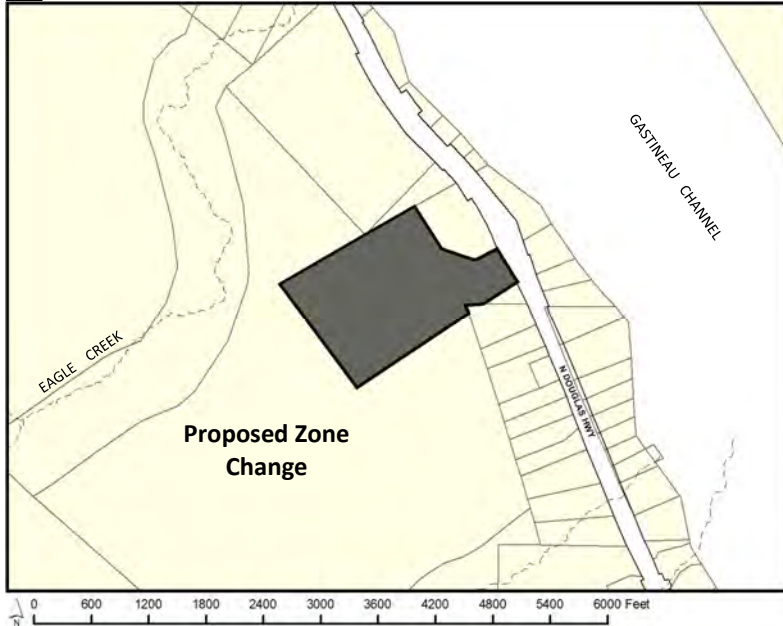
Printed March 9, 2021

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



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.

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.

Printed February 25, 2021

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



Attachment B - Abutters Notice and Public Notice Sign Photo



Attachment B - Abutters Notice and Public Notice Sign Photo





Attachment C - Permissible Use Comparison Table

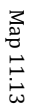
	Use description	D15	LC	GC	
1.110	Single-family detached; one dwelling per lot	1	1	1	No change from current to proposed zoning
1.120	Single-family detached; two dwellings per lot				Not allowed in this zoning district
1.130	Single-family detached; accessory apartment	1,3	1,3	1,3	1 = Department approval
1.140	Single-family detached, two dwellings per lot, accessory apartments				3 = Planning commission approval
1.200	Duplex	1	1	1	1,3 = Dept approval if minor; 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 E - 2009 Traffic Impact Analysis, North Douglas Highway and roundabout

City and Borough of Juneau
North Douglas Highway Rezone

Traffic Impact Analysis
August 2009

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 10th 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

Prepared for:
City and Borough of Juneau
155 S Seward Street
Juneau, Alaska 99801

Prepared by:
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USKH WO# 978801

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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

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 10th 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

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

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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 10th 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 prepared¹.
- 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.

¹ 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)	Population Estimates			
		Year	AK Dept. of Labor	CBJ Comm. Dev. Dept	
				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					

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Table 2- Building Permit Records	
Year	No. Res. Units Added
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.

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Table 3 - Occupancy and Vacancy Data							
	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 percent². 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."³

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)

² All of these vacancy factors came from CDD's 2008 population estimate.

³ 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.

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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

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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.

Table 4 - Population and Housing Growth Projection		
Year	Pop. @ 1.0%/yr.	Dwelling Units @ 1.2%/yr
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

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Table 4 - Population and Housing Growth Projection		
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 2030⁴. 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):

Table 5 - Housing Mix in 2008		
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

⁴ 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.

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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:

Table 6 - Housing Mix Comparison: 2001-2008			
Housing Mix in 2001			2008
Housing Type	Total Units	% of Whole	% of Whole
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

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Table 6 - Housing Mix Comparison: 2001-2008			
Housing Mix in 2001			2008
Housing Type	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):

Table 7 - Housing Mix Comparison, New Units: 2020 to 2030				
Housing Mix in 2020, New Units			Housing Mix in 2030, New	
Housing Type	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

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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

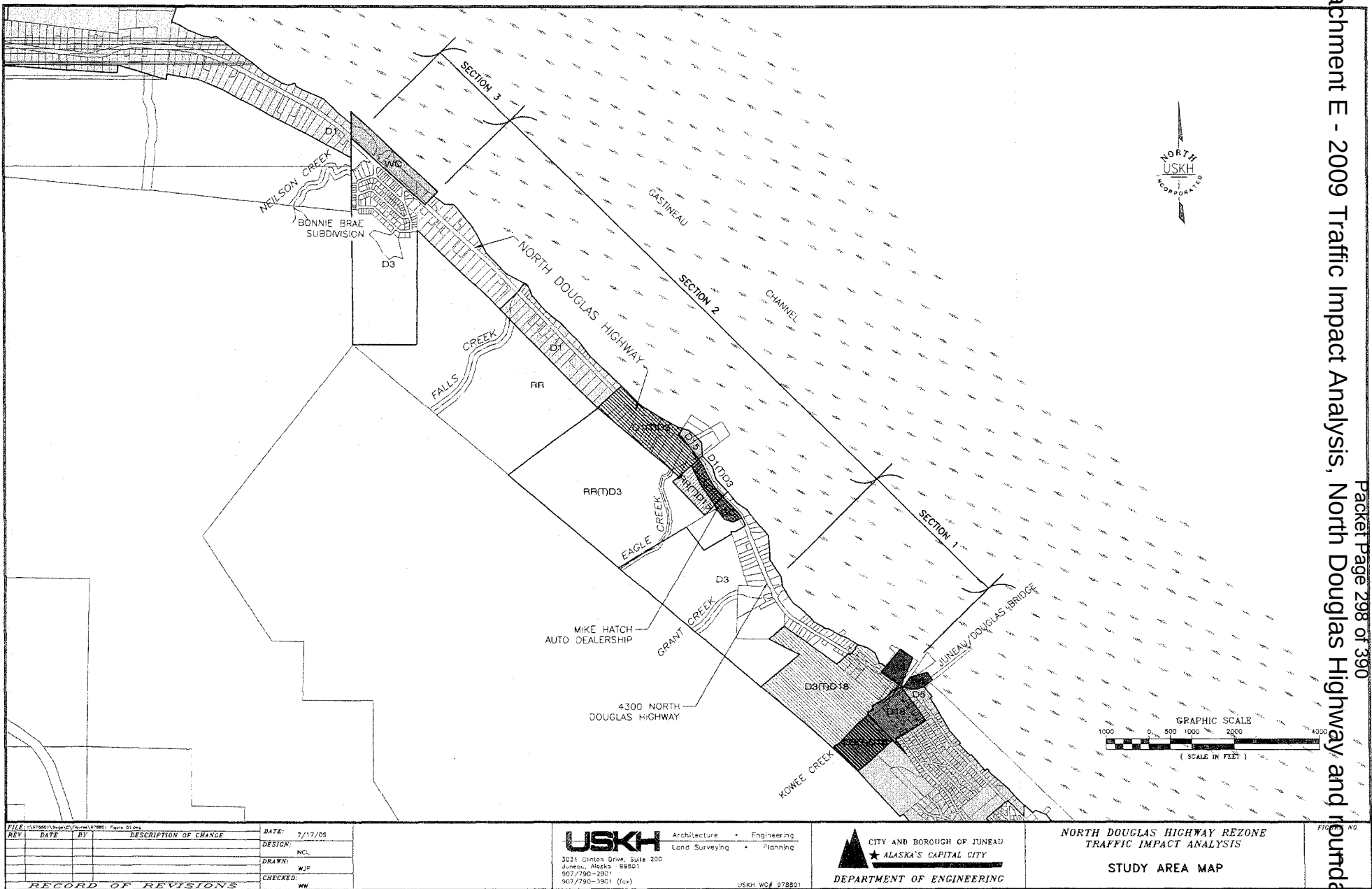
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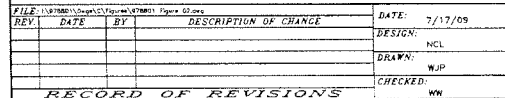
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lots comprise 148,104 square feet. At D-18, the three lots could host 61 DUs; a total of 151 units supplying traffic to the intersection location shown for Parcel 2.

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.





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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.

Table 8 - Section One, Uphill Side, Development Potential Scenarios				
Parcel	Usable Acres	No. DU @ D-10	No. DU @ D-15	No. DU @ D-18
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

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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.

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Table 9 - Development Potential, Kowee Creek to Bonnie Brae					
		Existing DU	New DU Potential		
Section One	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
Section Two	Water Side of NDH	115	20	20	20
	Uphill Side of NDH	63	60	60	60
Section Three	Water Side of NDH	2	10	10	10
	Bonnie Brae Sub.	112	74	74	74
Totals		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.

Table 10 - North Douglas Sewer - Growth Projection Summary							
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
Totals	773	296	951	515	1,435	1,689	4,938
Source: North Douglas Sewer Conceptual Design and Technical Report, CBJ Engineering Department, December 1985							

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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.

Table 11- ITE Land Uses and Descriptions	
Land Use	Description
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.

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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.

Table 12 - Project Trip Generation, D-10 Zoning							
	Dwelling 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
Total							
Source: ITE Trip Generation Manual (8 th Edition)							

Table 13 - Project Trip Generation, D-15 Zoning							
	Dwelling 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
Total							
Source: ITE Trip Generation Manual (8 th Edition)							

Table 14 - Project Trip Generation, D-18 Zoning							
	Dwelling 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
Total							
Source: ITE Trip Generation Manual (8 th 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 10th 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/10th 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 10th 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.

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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 10th 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.

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3.3.1 Existing Conditions

Existing traffic operations were analyzed as a means of comparison against 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.

Table 16- Existing Level of Service Summary – AM Peak Hour			
Location			
	LOS¹	Delay²	V/C³
Egan/10 th	E	57.0	1.12
Douglas Hwy/NDH	B	12.5	0.77
1. LOS = level-of-service			
2. Average control delay for intersection (sec/veh)			
3. V/C = volume to capacity ratio			

Table 17 - Existing Level of Service Summary – PM Peak Hour			
Location			
	LOS¹	Delay²	V/C³
Egan/10 th	D	51.0	1.17
Douglas Hwy/NDH	A	8.4	0.65
1. LOS = level-of-service			
2. Average control delay for intersection (sec/veh)			
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.

Table 18- Future Level of Service Summary – AM Peak Hour									
Location	D-10 Development			D-15 Development			D-18 Development		
	LOS¹	Delay²	V/C³	LOS	Delay	V/C	LOS	Delay	V/C
Egan/10 th	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									
2. Average control delay for intersection (sec/veh)									
3. V/C = volume to capacity ratio									

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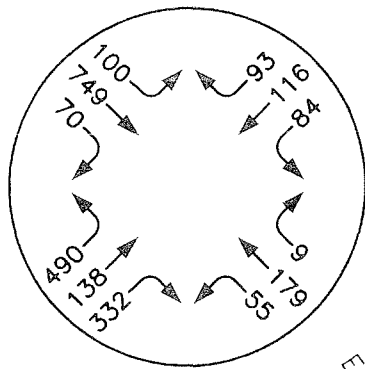
Table 19- Future Level of Service Summary – PM Peak Hour									
Location	D-10 Development			D-15 Development			D-18 Development		
	LOS ¹	Delay ²	V/C ³	LOS	Delay	V/C	LOS	Delay	V/C
Egan/10 th	F	184.4	2.18	F	244.6	2.58	F	361.9	3.11
Douglas Hwy/NDH	B	13.7	0.71	C	24.2	0.90	E	48.0	1.00
1. LOS = level-of-service 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.

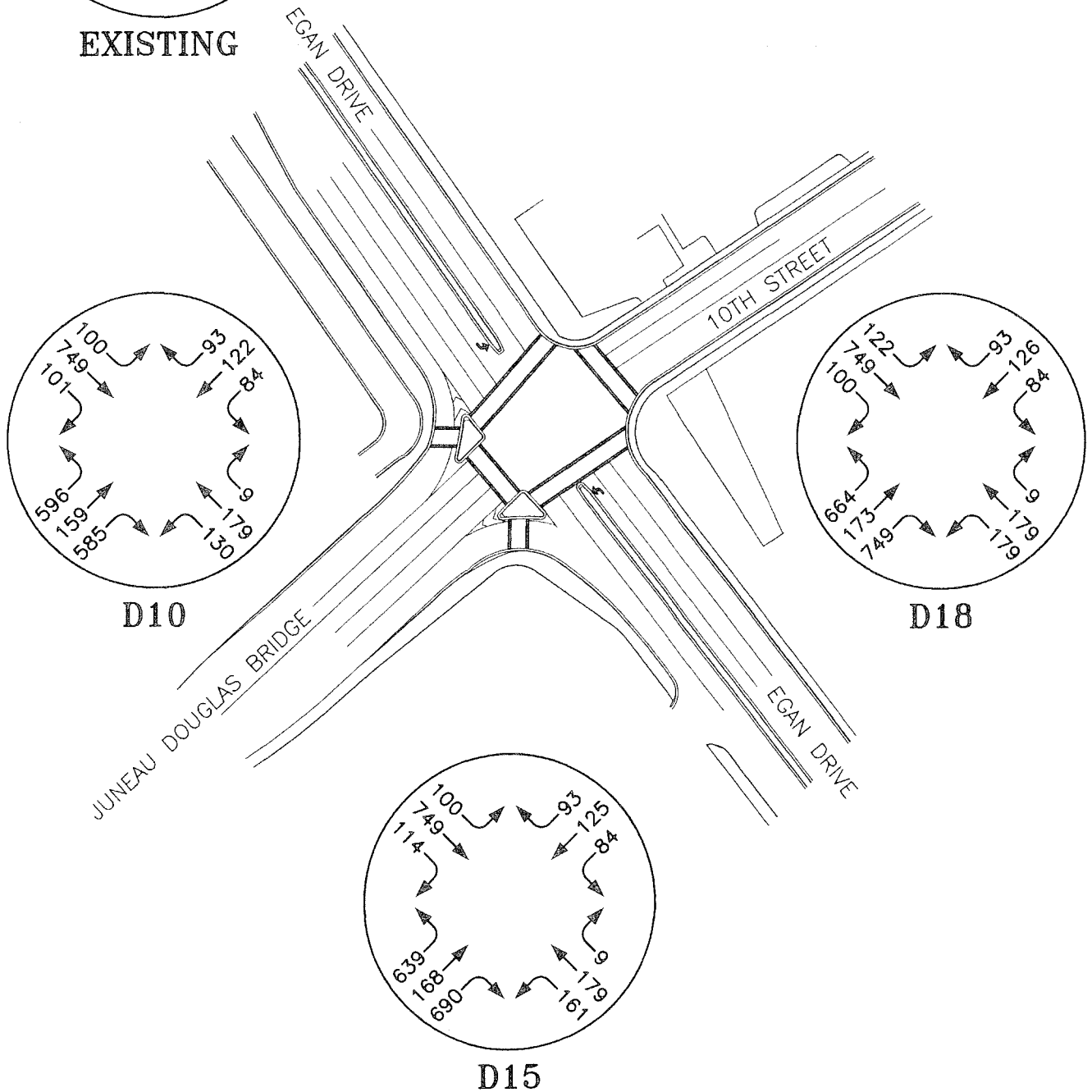
The intersections were also evaluated to estimate how much additional traffic could be added before the LOS was reduced to F. At Egan Drive/10th Street, the limiting time was the PM peak hour. The intersection would be able to accommodate an additional 517 entering vehicles before reaching LOS F during 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.

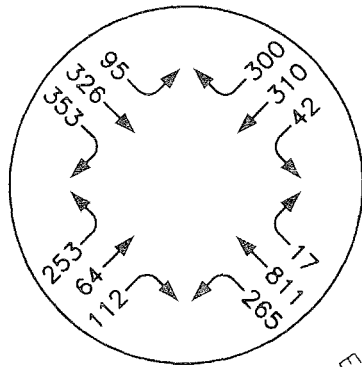
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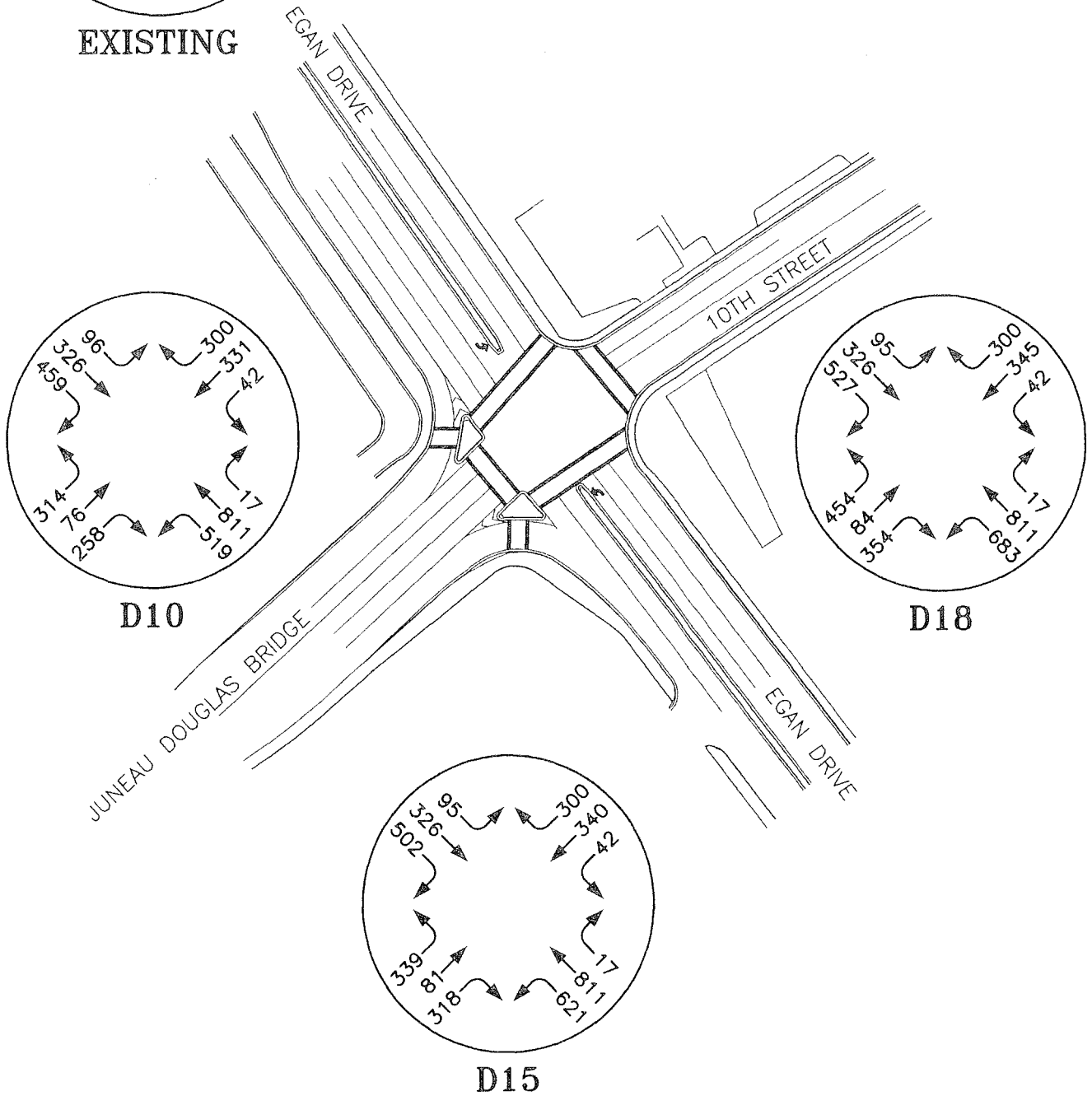
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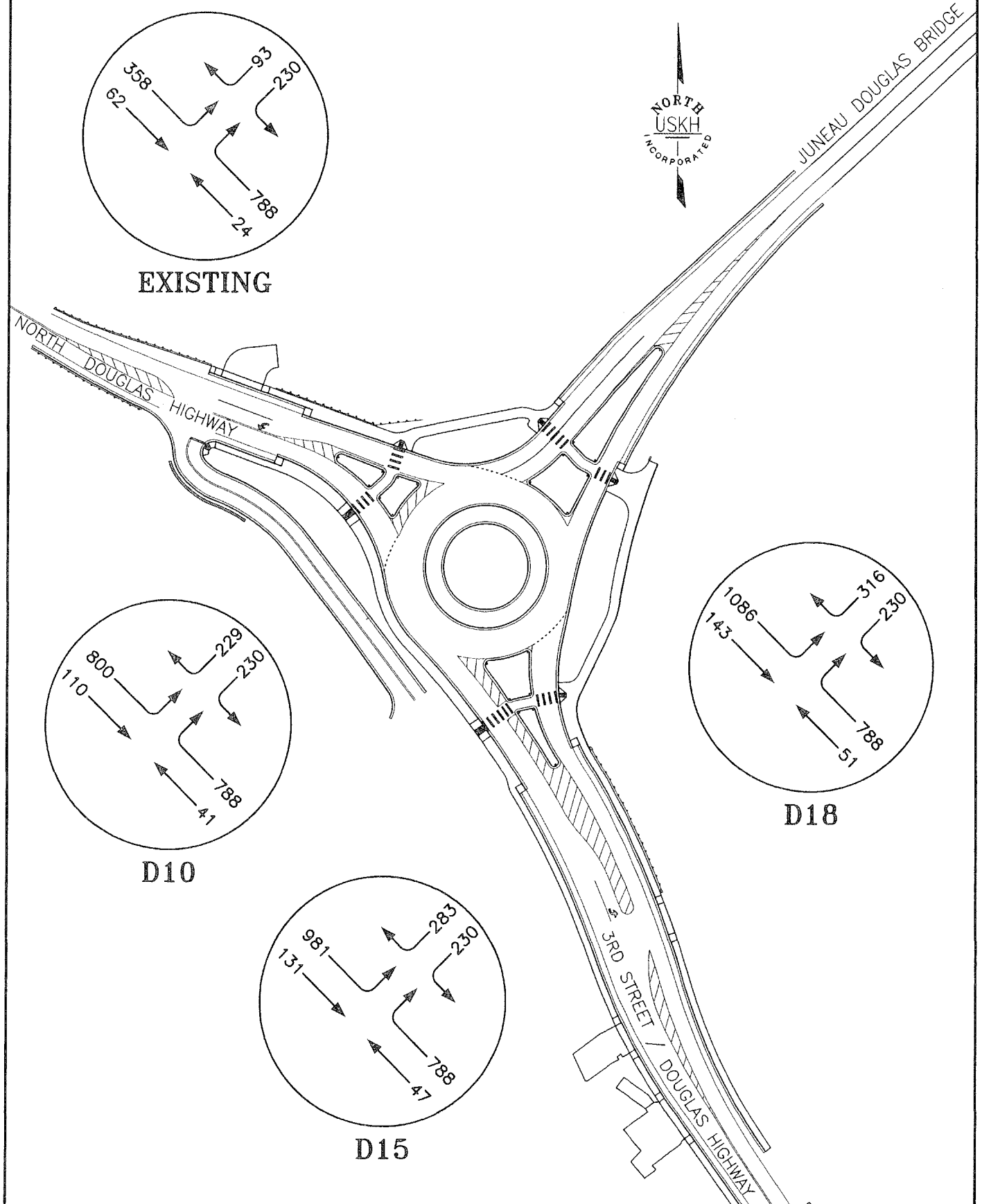


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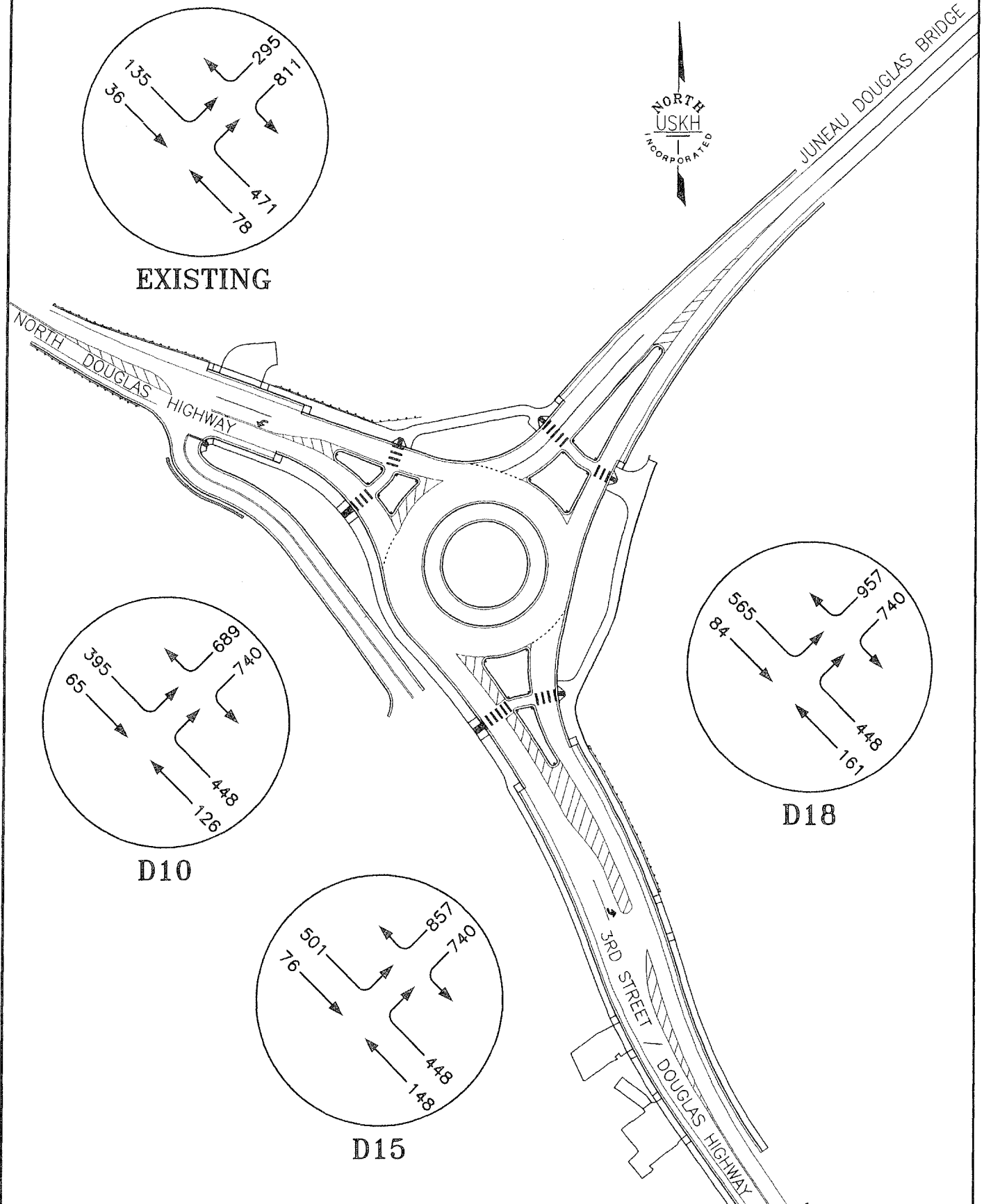
USKH Architecture • Engineering Land Surveying • Planning	 CITY AND BOROUGH OF JUNEAU ★ ALASKA'S CAPITAL CITY DEPARTMENT OF ENGINEERING	PROJECT:	NORTH DOUGLAS HIGHWAY REZONE TRAFFIC IMPACT ANALYSIS	FIGURE NO. 4
		TITLE:	PM VOLUME DATA FOR 10TH STREET & EGAN DRIVE	
		CLIENT:	CITY & BOROUGH OF JUNEAU	

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		TITLE: AM VOLUME DATA FOR THE DOUGLAS ROUNDABOUT	5
		CLIENT: CITY & BOROUGH OF JUNEAU	

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		TITLE: PM VOLUME DATA FOR THE DOUGLAS ROUNDABOUT	
		CLIENT: CITY & BOROUGH OF JUNEAU	

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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.

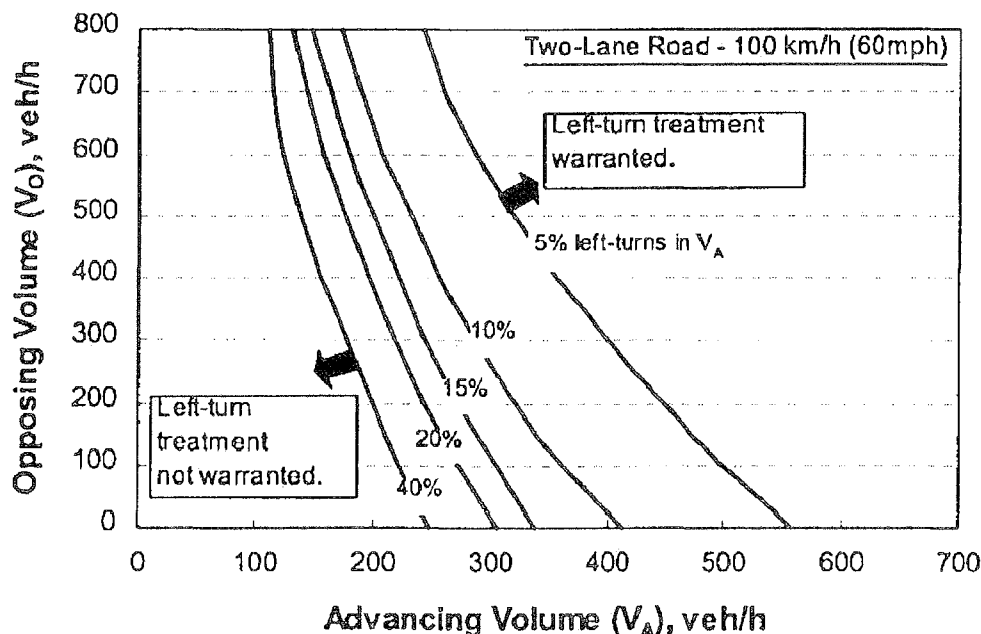


Figure 7 Left-Turn Lane Thresholds

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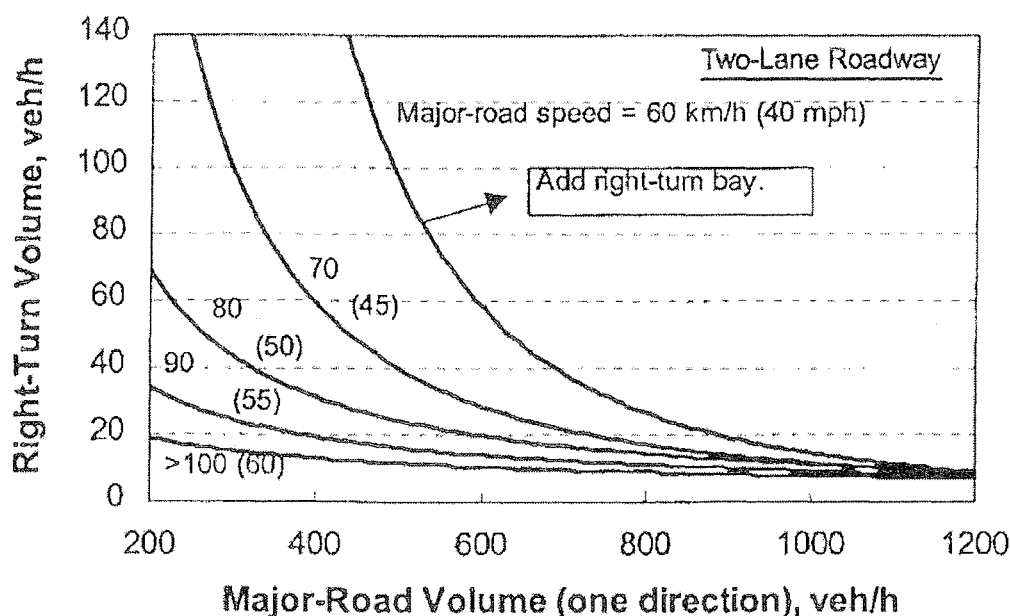


Figure 8 Right-Turn Lane Thresholds

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 10th 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 10th 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 10th 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

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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.

Table 20 - Collisions by Year	
Year	No.
2003	12
2004	7
2005	5
2006	6
2007	7
Total	37

Table 21 - Collisions by Location	
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

Table 22 - Collisions by Type	
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 10th 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.

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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 10th 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.



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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

Page 1 of 90

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

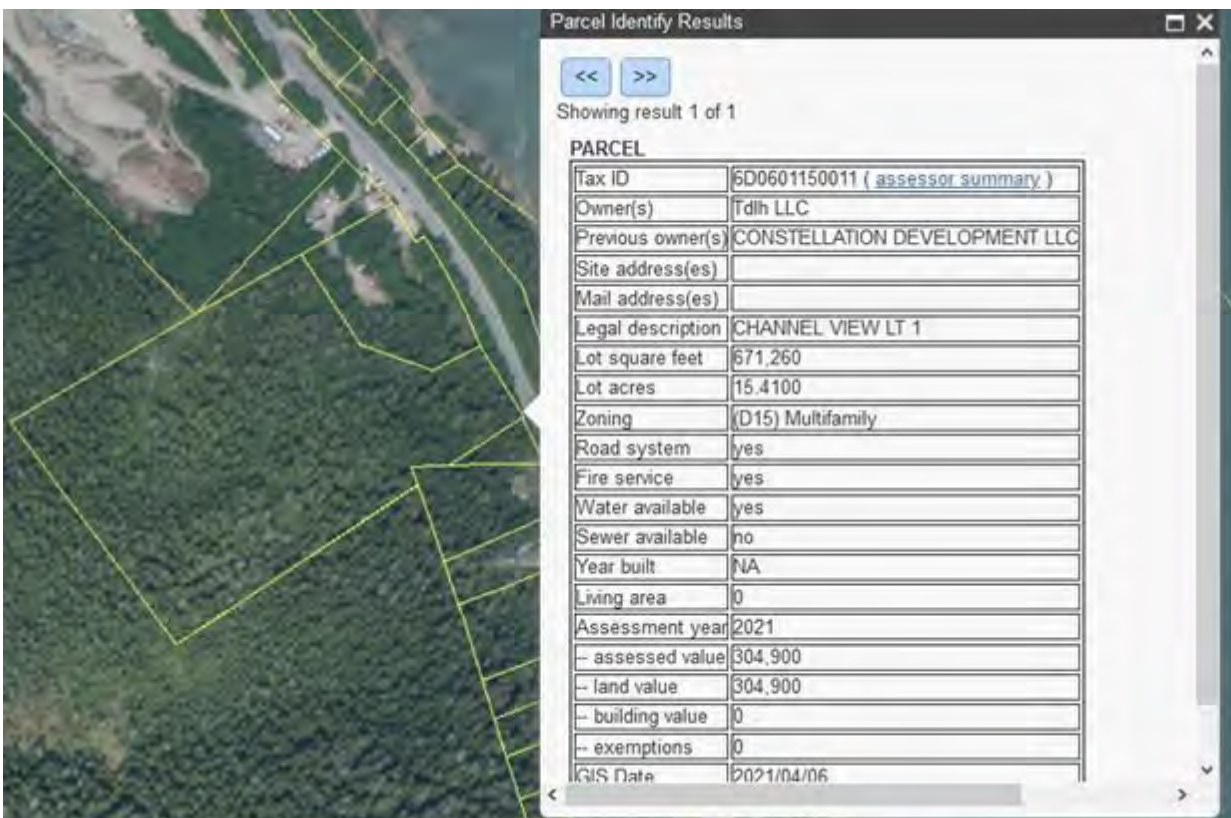
From: [Bizzarro, Caleb T \(DOT\)](#)
To: [Laurel Christian](#); [Joseph Meyers](#)
Cc: [Heidemann, Marie E \(DOT\)](#)
Subject: DOT&PF SCR Review Feedback for Douglas Hwy Rezone & Subdivision requests
Date: Friday, April 16, 2021 4:13:17 PM
Attachments: [image001.png](#)
[image002.png](#)
[Narrative.pdf](#)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

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

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



Parcel Identify Results

Showing result 1 of 1

PARCEL	
Tax ID	6D0601150011 (assessor summary)
Owner(s)	Tdlh LLC
Previous owner(s)	CONSTELLATION DEVELOPMENT LLC
Site address(es)	
Mail address(es)	
Legal description	CHANNEL VIEW LT 1
Lot square feet	671,260
Lot acres	15.4100
Zoning	(D15) Multifamily
Road system	yes
Fire service	yes
Water available	yes
Sewer available	no
Year built	NA
Living area	0
Assessment year	2021
-- assessed value	304,900
-- land value	304,900
-- building value	0
-- exemptions	0
GIS Date	02/1/04/06

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.

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Some useful links include:

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

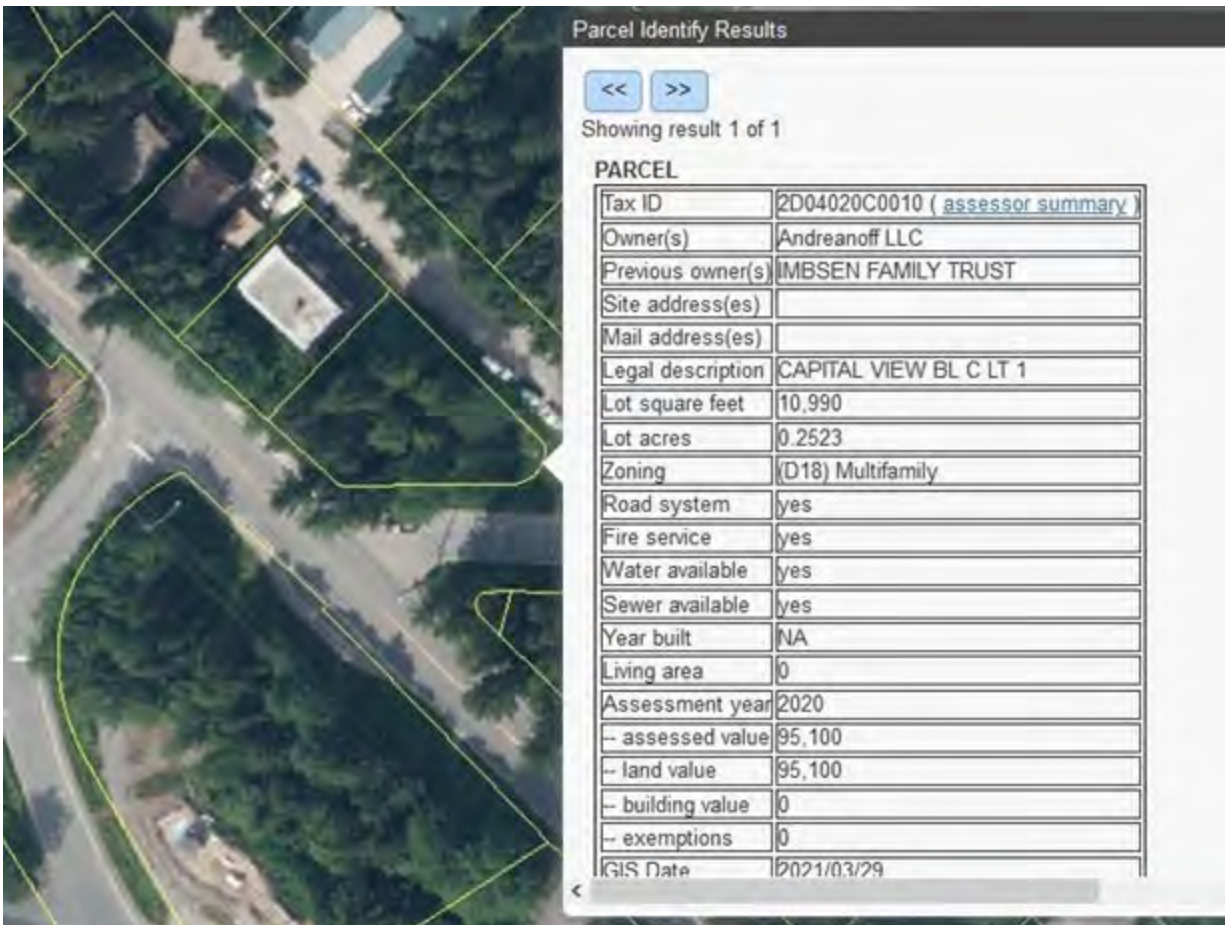
Design & Construction Standards: <http://dot.alaska.gov/stwddes/dcsrow/resources.shtml>

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



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

Attachment F - Agency Comments

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

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

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 2nd 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](#)

Thank you!

Joseph Meyers | Planner I

[Community Development Department](#) | City & Borough of Juneau, AK

230 S. Franklin Street, 4th Floor Marine View Building

Main Line: 907.586.0715

Personal Line: 907.586.0466

He/him/his



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.

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

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

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

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

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.

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

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.

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.

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**

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.

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

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

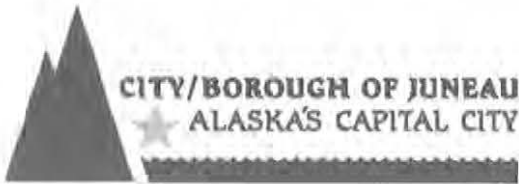
The Public Works Committee met two weeks ago, said Mr. Watson. It discussed street vacations, said Mr. Watson. That will be coming towards the next Planning Commission meeting, said Mr. Watson.

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



**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

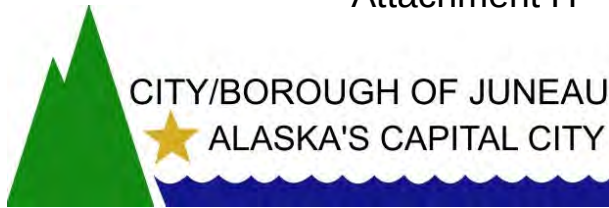
Project Planner: Chris McNally
Chrissy McNally, Planner
Community Development Department

Demetrius J. Satrio
Michael Satre, Chair
Planning Commission

Jamie J. Davis
Filed With City Clerk

12/2/14
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.



Community Development Department

MEMORANDUM

Date: November 13, 2014

To: Planning Commission

From: Travis Goddard, Planning Manager
Community Development Department

A handwritten signature in black ink, appearing to read "Travis Goddard".

File No: AME2013 0016

Re: Supplemental Public Input and Analysis

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.

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

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).

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*

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.

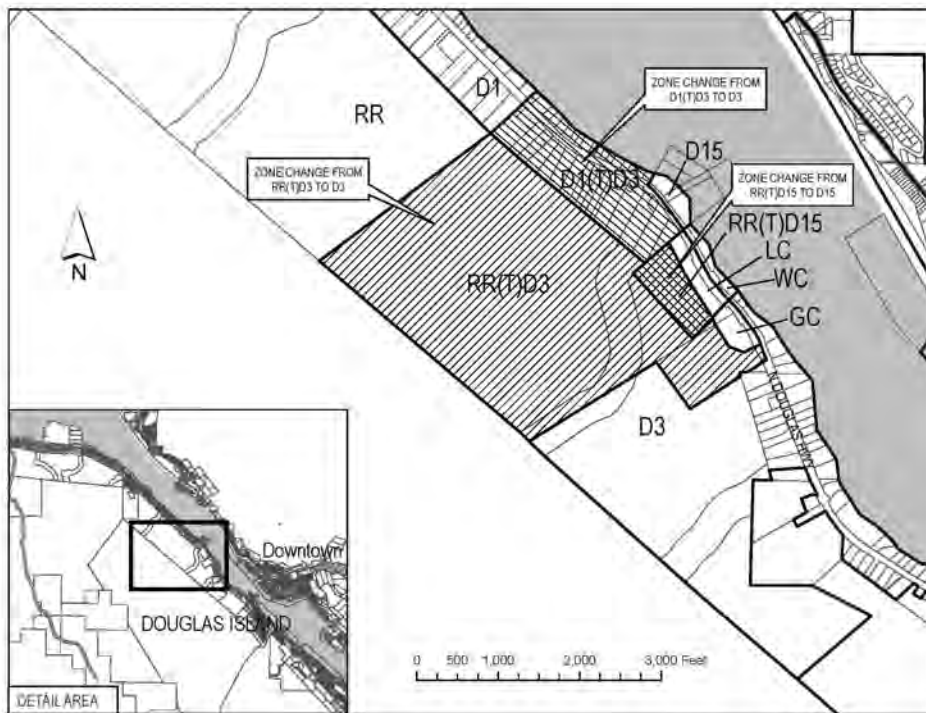
After meeting with Mr. Stitz, staff understands his concerns. Staff indicated to Mr. Stitz they would recommend that his property be excluded from the up-zone and simply be rezoned to the transition zone of D-3. Staff made this conditional upon his understanding that such an action would mean that any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

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

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.

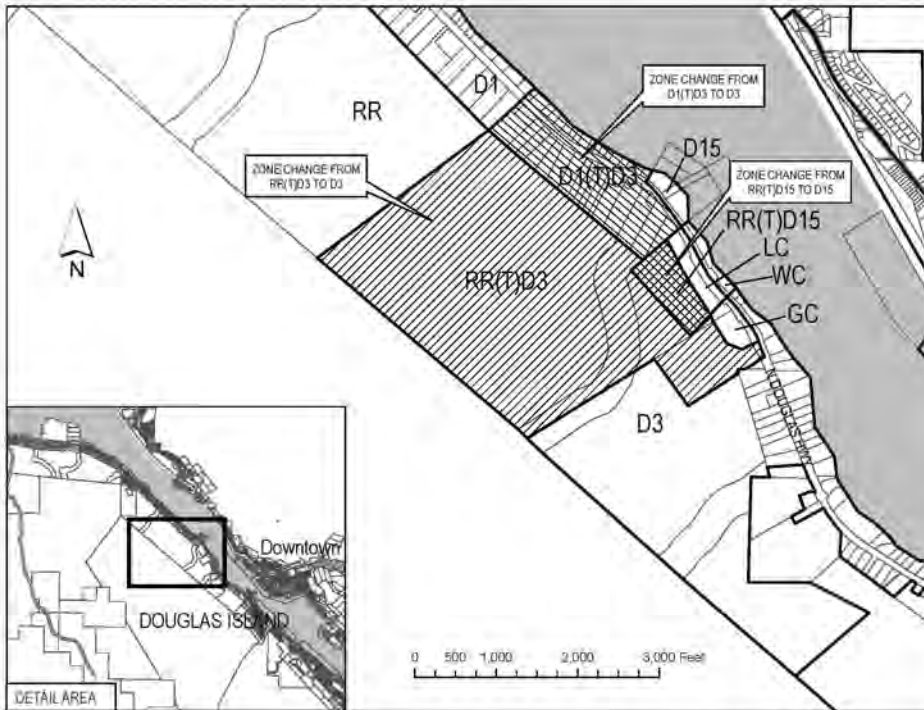


If you have questions, please contact Travis Goddard at travis.goddard@juneau.org or at 586-0715.

Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at www.juneau.org/plancomm.



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.

File No:	AME2013 0016	Applicant:	City and Borough of Juneau
To:	Adjacent Property Owners	Property PCN:	Multiple
Hearing Date:	November 25, 2014	Owner:	Multiple
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If you have questions, please contact Chrissy McNally at 586-0761 or christine.mcnally@juneau.org



Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at www.juneau.org/plancomm.

Travis Goddard

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 Yares [<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

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.

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.

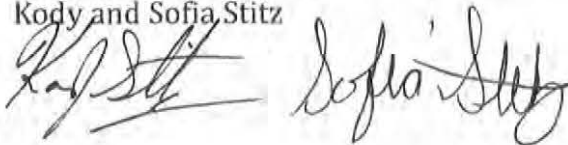
3. Lastly, a change to D-5 is not fully consistent with the adopted 2013 Comprehensive Plan. Page 14 of the Comp Plan describes rural areas of Juneau as follows: "Rural: Rural areas can be found in the forested areas west of the Mendenhall River and in Thane, North Douglas... Vacant parcels within rural 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.

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

The block contains two handwritten signatures in black ink. The signature on the left is for Kody Stitz, and the signature on the right is for Sofia Stitz. Both signatures are written in a cursive, flowing style.

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)

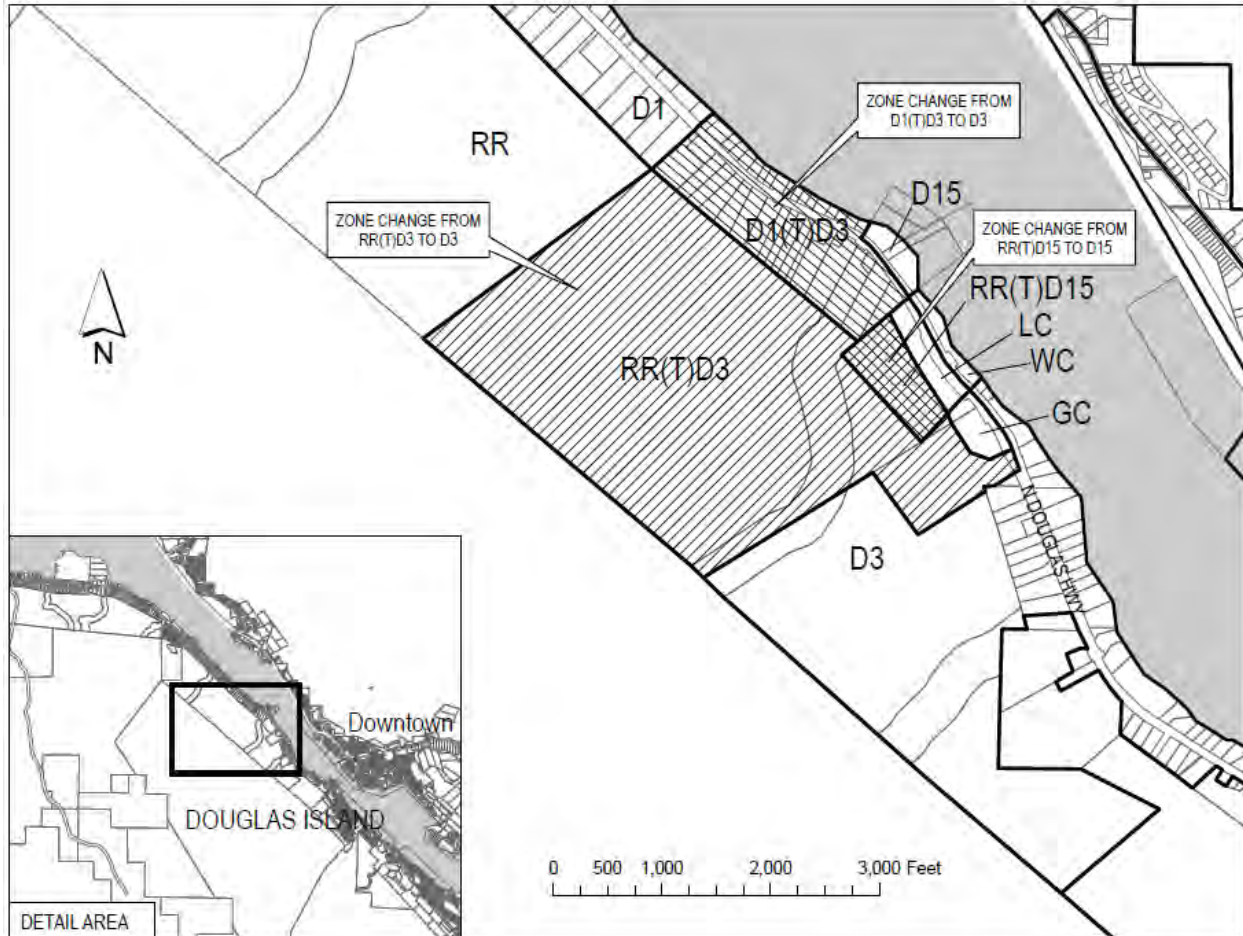
Utilities: CBJ water and sewer

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

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

Parcel Code No.	Legal Description	Current Zoning	Transition Zone	Acres
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

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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

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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)

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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:

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

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.

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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.

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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

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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

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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 10th 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 10th 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

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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

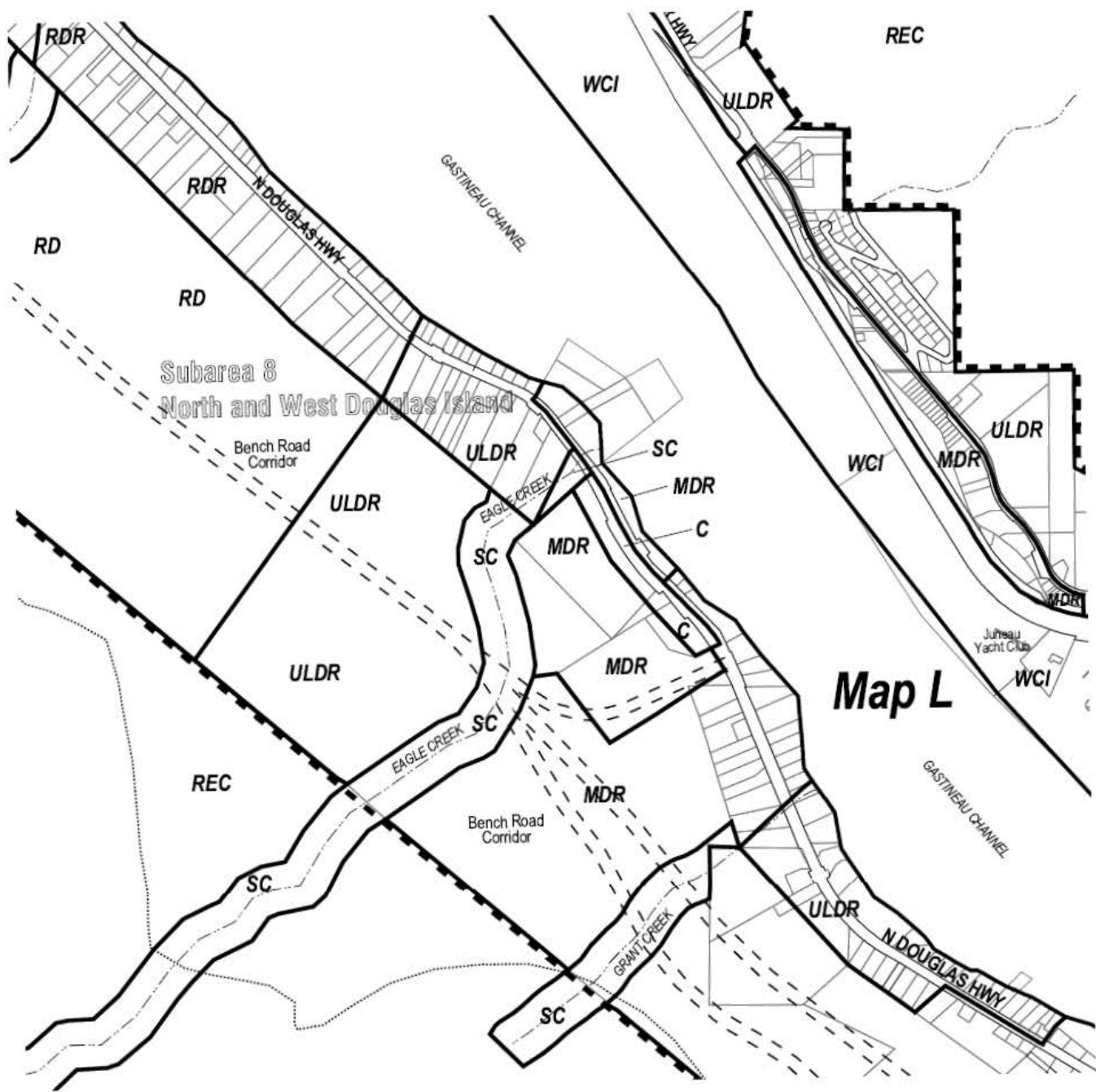
Staff recommends the following:

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.





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.

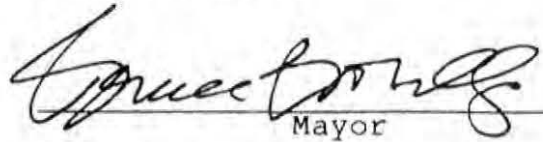
* Section 2. Amendment of Official Zoning Map. The official zoning map of the city and borough adopted pursuant to CBJ 49.25.110 is amended as shown on the attached Exhibit "A" to change the zoning of a portion of Lot 3, U.S. Survey 3381, from RR(T)D-3 (rural reserve transition to D-3 residential) to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

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

Adopted this 6th day of March, 1989.



Mayor

Attest:



Clerk

Received
on

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.

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

Adopted this 6th day of March, 1989.



Mayor

Attest:



Clerk

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 6th day of October, 1997.


Dennis Egan, Mayor

Attest:


Marian J. Miller, Clerk



NOTICE OF PUBLIC HEARING

Attachment H - Additional Materials

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.

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

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.

ATTACHMENT F

Date notice was printed: August 5, 2014



**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 25th 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 26th 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.

Enclosure: List of properties to be rezoned

cc: File number AME2013 0016



Port of Juneau

City & Borough of Juneau • Docks & Harbors
155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

From: Visitor Industry Task Force DRAFT Recommendation Review Special Committee
To: Docks & Harbors Board
Via: Docks & Harbors Operations & Planning Committee
Date: November 12th, 2020
Re: VISITOR INDUSTRY TASK FORCE DRAFT RECOMMENDATIONS

1. The Mayor's Visitor Industry Task Force completed their draft report on April 27th, 2020 after months of public meetings, public input, and deliberations from a ten member panel. Although the Port Director, Docks & Harbor staff, or Board Members attended most of the meetings, Docks & Harbors was not officially represented on the Task Force. As many of the recommendations clearly pertain to operational or infrastructure management, in the purview of Docks & Harbors, it is appropriate for the Board to communicate to the Assembly on topics which Board members have expertise. When and whether the Task Force will reconvene is currently unknown. The Chair of the VITF, at the Docks & Harbors Special Committee meeting of August 27th, suggested the Board provide comments directly to the Assembly.
2. The Docks & Harbors Special Committee to review the DRAFT recommendations thoroughly discussed the process and examined appropriate responses at public meetings on August 27th, September 21th, October 13th and October 30th. The Special Committee was in general agreement, despite the pandemic and uncertainty whether the cruise industry will return to 2019 passenger numbers in Juneau, that providing guidance and insight to the DRAFT recommendations was a beneficial exercise to undertake.
3. The Special Committee discussed the tone of the DRAFT recommendations and whether it sends the appropriate message. It has been pointed out, that some could interpret the DRAFT recommendations as a laundry list of everything wrong with tourism in Juneau without the counter balance of the importance of tourism to many Juneauites, including many harbor patrons. Docks & Harbors has prided itself on advocating infrastructure and management of facilities, which enable all user groups to thrive, including privately owned vessels as well as international conglomerates.
4. The attached enclosure provides comments and consensus from the working Special Committee to review the DRAFT recommendations. The Special Committee focused its efforts on the "recommendations" of the document and provided comment in appropriate areas.

#

Encl (1) VITF DRAFT Recommendations with Board Comments



MEMORANDUM

DATE: April 27, 2020

TO: Visitor Industry Task Force

FROM: Staff

SUBJECT: DRAFT Taskforce Recommendations

Note to the Visitor Industry Task Force

These Draft Recommendations are based on the Task Force discussions and written comments received. The goal of this draft is to encompass the key points that the Visitor Industry Task Force (VITF) may wish to forward to the CBJ Assembly.

Visitor Industry Task Force

The Visitor Industry Taskforce held a number of public meetings between October of 2019 and February of 2020 to advise the CBJ Assembly and advance community thinking on a range of visitor industry topics.

The VITF took public testimony on January 11, 2020 and February 1, 2020 and received 43 spoken comments and 156 written comments. The testimony reflected a diverse range of viewpoints in the community and generally provided nuanced views of the benefits and impacts of tourism.

The relationship between CBJ and the visitor industry has evolved over the past two decades. Through investments in infrastructure, management tools, and in programs like Tourism Best Management Practices (TBMP), Juneau has effectively managed tourism growth. While CBJ and the visitor industry should be proud of the success of their efforts, we have reached a point where we need to work together to develop proactive tools and strategies for tourism management over the coming years.

The VITF recognizes the work done by the community and CBJ in early 2000's that resulted in the Tourism Management Plan and the subsequent Resolution 2170. Many of the findings and recommendations in the report are still applicable today and should be considered along with this report. The vision established in the Resolution continues to guide the efforts of this committee and should guide future policy decisions:

CBJ seeks a healthy and vibrant tourism sector generating business opportunities and employment for Juneau citizens, protecting Juneau's heritage and cultural values and its natural resources, and making a positive contribution to the community's quality of life.

The VITF met during the winter and spring of 2019 and 2020 in anticipation of establishing some short-term actions for the 2020 cruise season. The task force had nearly completed its report when industry impacts and public health mandates related to COVID-19 derailed the process. This submission represents the VITF's work to date. The group may reconvene in fall of 2020 or later to discuss changes to the industry and planning for the 2021 cruise season.

Visitor Industry Task Force Report To the City & Borough of Juneau Assembly March 2020

1. Mayor's charge: Regarding Management of the Visitor Industry

1a) Is the current approach to managing the visitor industry adequate to make Juneau an attractive place to live and visit?

Since 1988, CBJ has managed tourism through plans, studies, committees, task forces, and legislation. Within the context of a growing visitor industry, the current approach needs to be evaluated, revised and reorganized. In the past, CBJ has been too reactive when issues arise. Moving forward, CBJ, the visitor industry, and the community should proactively and collaboratively plan and act to ensure Juneau remains an attractive place to live and visit.

There are numerous CBJ planning efforts underway or contemplated that would affect tourism management, opportunity and efficiency. Additionally, there are infrastructure projects that contribute to management of tourism discussed in section 1b. Listed below are CBJ planning efforts related to tourism or that have a close connection to tourism as they are located in the downtown area. Efforts that may be funded by Marine Passenger Fees are designated with an asterisk.

1. Eaglecrest Summer Development Plan
2. CBJ grant to Whale SENSE Program*
3. Blueprint Downtown
4. Housing issues downtown
5. Waterfront Museum*
6. Small vessel docking study*
7. Issues identified in the Manager's recommended Passenger Fee Memo to the CBJ Assembly*
 - a. Juneau Cruise Passenger Survey
 - b. Cruise Passenger Transportation Study/Planning

The current management approach is realized through a mix of industry best management practices, agency permits and operations, and services provided by non-profits through grants and infrastructure planning. Compliance with visitor industry regulations and best practices is voluntary at times and mandatory under federal, state, or local statute or regulation. CBJ Resolution 2170, adopted in 2002, outlines tourism industry related policies and guiding ideas that are still relevant to the community. However, the resolution has not been used consistently as a guiding tool.

CBJ does not manage tourism through a single entity or under one section of code; various CBJ Departments manage areas used by tourists and tour operators. Those management activities include:

1. Dock Scheduling – Cruise Lines Agencies of Alaska (CLAA) schedules ships into Juneau and assigns the use of CBJ's Alaska Steamship Dock and Cruise Ship Terminal, as well as the lightering float used

by ships at anchor. CBJ has no contractual relationship with CLAA or member lines governing the use of these facilities.

2. Docks & Harbors Waterfront Management
 - a. Commercial Use Permitting of Docks and Harbors
 - b. Dock Maintenance
 - c. Seawalk Maintenance
3. Docks & Harbors / CBJ Assembly
 - a. Tidelands management
4. Parks & Recreation Management
 - a. Commercial Use Permitting of Parklands and Facilities
 - b. Seawalk Maintenance
 - c. Parks Management and Maintenance
5. Community Development Department Land Use Permits (including Planning Commission reviews)
6. Engineering/Public Works Right-of-Way Management
7. DOT Management of South Franklin Street – The roadway from Main Street to the Rock Dump is owned and managed by State DOT (Marine Way and South Franklin Street). However, for over 30 years, CBJ has taken the lead on roadway improvements.
8. Tourism Best Management Practices (TBMP) – Annual funding provided by CBJ from Marine Passenger Fees; the program is operated voluntarily by tourism operators and also manages the crossing guard program which is funded by Marine Passenger Fees.

Recommendations

1. CBJ should establish a centralized tourism management function funded by CBJ with full-time staff to guide implementation of the 2002 Tourism Management Plan (TMP) where applicable. The TMP provides an example of how this could function.

Docks & Harbors does not object to CBJ standing up full time staff as an intake for all things related to tourism management. It is possible that efficiencies could be realized in the number of permits required by companies which transcend CBJ Departmental boundaries, such as Docks & Harbors, Parks & Rec, Eaglecrest and JPD. However, Docks & Harbors cautions that a one size fits all mentality for every tourism permit could be counterproductive. As an example, Docks & Harbor believes the Seawalk from Marine Park to Franklin Street Dock is managed strictly and efficiently meeting the expectations of local and tourists. Should another entity begin managing this portion of the Seawalk, Docks & Harbors would strongly advocate to be consulted on decision made on Docks & Harbors managed properties.

2. CBJ should determine community goals (emissions, shore power, congestion mitigation, etc.) and develop and implement an action plan to achieve these goals.
 - a. Complete the Blueprint Downtown sub-area plan and address land use and zoning, as well as incentivizing local business development in the downtown core.

Docks & Harbors is currently pursuing an Electrification Study through our consultant,

Haight & Associates. The study will be completed in April 2021 and will determine whether there is sufficient power in Juneau to allow more than one cruise vessel to receive shore power.

3. The TBMP program should be augmented and supported by CBJ. TBMP remains an industry driven and operated program. As an industry program, peer and industry pressure achieves compliance that would be difficult to obtain under a regulatory regime.

Docks & Harbors strongly endorses voluntary, peer led compliance governance as the preferred means to establish desired community outcome.

4. CBJ should adopt ordinances and regulations to establish consistent management of commercial tour use on all lands, including parks, docks and harbors, right-of-ways, and other lands owned by the CBJ. Management considerations should include:
 - a. Continue to charge fees to fund required services and mitigate impacts. Review and revise fee schedule to ensure fees are appropriate.
 - b. Consider whether there should be commercial tour permitting on city streets and sidewalks for commercial tours such as guided hikes or guided micromobility tours; and if so, regulations should be developed in the same way that CBJ regulates parks and trails, to determine impacts, including days, times and capacity.
 - c. Limit Parks & Recreation commercial use permits to determine facility capacity and impacts (including hours and days). This may include some areas with higher visitation and some areas with lower or no visitation.
 - d. Require all tourism operators receiving Commercial Use Permits to be active members in good standing of TBMP and comply with TBMP guidelines, and where applicable, also be active members in good standing with WhaleSENSE and comply with WhaleSENSE guidelines.

Docks & Harbors requires all companies which have tour permits to be TBMP members when using CBJ owned facilities. Although Docks & Harbors concur with WhaleSENSE guidelines, the efficacy of requiring compliance is problematic as most whale watching excursions do not originate from CBJ owned facilities, the marine mammal resource is managed at the federal level and Docks & Harbors would not have the human capital to enforce violations.
 - e. Work with related agencies and partners, such as NOAA, on reducing speed and wakes from whale watching vessels in Statter Harbor, Auke Bay and other impacted areas.

Docks & Harbors has established a TBMP navigational corridor through Auke Bay to better manage damage from wakes and has implemented a no wake zone through Smuggler's Cove. Statter Harbor Officers routinely reminds harbor users that vessel operators are responsible for damage to property caused by one's wake. Docks & Harbors would not have the human capital to enforce violations.
 - f. Consider researching and implementing a permitting system for whale watching operators.
 - g. Recognize operators participating in the Alaska Travel Industry Association (ATIA), program "Adventure Green Alaska", to encourage sustainability practices.
 - h. Incentivize operators to adopt environmental best management practices through local award programs, such as a Juneau Commission on Sustainability award.
 - i. Recommend operators/cruise lines adopt Travel Juneau "Juneau Pledge" and ATIA "Alaska" pledge. Cruise lines may also create their own "Alaska" pledge through CLIA (a creative method to encourage guests from around the world to embrace community respect and

positive visitor behavior).

5. CBJ should require Cruise Lines International Association (CLIA) member cruise lines to operate in the following manner:

- a. In 2020 and going forward, minimize cruise ship waste in the landfill and prohibit ships from off-loading furniture, bedding, pillows, mattresses, electronics and other similar bulky items as garbage into the Juneau landfill. Coordinate with the landfill, CLIA and CLAA to implement this recommendation and as CLAA receives notifications and picks up the offloads, ask them to assist with not accepting these items. By 2021, consider prohibiting any cruise ship waste offloads into the landfill.

Docks & Harbors concurs with the goal of reduction of bulky material into the private Juneau landfill. It does not agree with regulatory means to compel compliance.

CLAA Port Manager Andrew Green testified that several vessels have added emission scrubbers to improve air quality many, but not all, vessels previously had two incinerators. Some vessels removed an incinerator for a scrubber resulting in less room available onboard to stow trash. This resulted in an increase in trash being brought to the landfill, up to three containers of waste may be transferred off a vessel. The International Maritime Pollution Act require port facilities provide certain services such as oily waste and offloading of trash from vessels engaged in international voyages, some ports have exemption. In SE Alaska, Juneau is the only port which can accept trash off loaded from a cruise ship. Whittier and Seward also have limited ability to handle trash and no local ability. The offloaded trash is regulated and it must be hauled to USDA approved land fill. It's a very complex and an operationally necessity. Mr. Green believes that only the absolutely necessary trash is removed from the cruise ships. He had heard that mattresses had be taken to the Juneau landfill which was the result of Canada not permitting the removal of mattresses without sterilizing which was not possible. The industry would not want to lose the opportunity to offload trash in Juneau as there are no other options. He also said that the amount of material which is deposited at the landfill from cruise ship is a small percentage of the overall waste.

Holland-American Group intends to pursue, self-imposed, zero refuse discharge in Juneau.

- b. Maximize use of shore power by all cruise lines by requiring CLAA to assign shore power configured ships to electrified docks once additional shore power infrastructure is in place.

Docks & Harbors has contracted with Haight & Associates to determine Juneau's energy capacity to power additional cruise ship berths. In addition to other requirements, the study will determine anticipated rate increases if the power is provided on an interruptible or firm basis. The report is expected to be complete in April 2021. In general, Docks & Harbors does not concur with forcing CLAA to comply with operational scheduling edicts. There are many operational and contractual requirements which CLAA must juggle in the preparation of schedules. The recommendation as written could require all vessels with contractual obligations to the privately owned AJ Dock to go to the CBJ owned electrified dock.

- c. Limit water usage by ships in periods of drought.

Approximately five years ago, water rationing to cruise vessels was a concern within the community. To address the issue CLAA would consult with the CBJ Water Division to determine how much water could be provided to a vessel on a daily basis. The cruise lines were not put off that they didn't receive water during periods of rationing. Since then, head tax was used to construct the Salmon Creek Water Filtration Plant which now serves 33% of all water needs in Juneau. Providing water to the cruise ship hasn't been an issue recently and the recommendation "to limit water usage in periods of drought" is already in place. Mr. Green (CLAA) indicated the industry supported the request to solve water issues in Juneau which included building a 1.5M tank at the Last Chance Basin, which was a massive well water development in the basin. The industry also supported the UV treatment and filtration system for the Salmon Creek Dam water supply. Mr. Green indicated that it should be very difficult to run out of water. Nonetheless, the industry will throttle back water request, waste water, shore power or any other service to be equitable and meet the needs of the community. The cruise industry was successful in lobbying for funds either head tax or state marine passenger fees.

- d. Turn off large LED screens while in port in coordination with CLIA and TBMP
- e. Maximize "localism"
 - i. Encourage cruise lines to maximize partnerships with locally owned businesses.
 - ii. Continue to support and direct cruise ship passengers to local businesses.
- f. Coordinate with CLIA and CLAA on ship scheduling and berthing to minimize congestion at all docks. These recommendations should be implemented over the next three years based on feasibility and need. In 2020, strategically assign ships based on size with the goal of reducing traffic congestion downtown
 - i. In 2020 and going forward, work with CLAA and CLIA to provide more transparency and visibility for schedules and projected passenger counts, two years in advance or upon creation.
 - ii. In 2020 and going forward, should a ship wish to call in Juneau at CBJ operated facilities on a day other than what was originally scheduled due to weather or other factors, CLAA should review this request with CBJ prior to confirming this call in order to evaluate how the change affects congestion and other impacts to the community. Docks & Harbors believes this is such a rare occurrence that it merits deletion. As an example, a vessel may not be able to moor in Skagway due to high winds. No one (cruise lines, CLAA, port communities) benefits with port call uncertainty. It is not clear who in CBJ would approve this request for port changes.
 - iii. In 2021, stagger arrival times of ships by 30 minutes.

This reads as if a change is required. Currently ship arrivals are scheduled at no less than 30 minutes between vessels. There may be confusion within the community as the CLAA maintains two arrival schedules, one for the general public which is approximate and an operational schedule which is considered SSI (Sensitive Security Information) used by those who need an accurate arrival time. The latter will never schedule two cruise vessels to arrive simultaneously.

Safety is number one concern for all involved in the maritime transportation industry

and arrival times are closely aligned with the Alaska pilots. Additionally, the longshore labor pool is limited that it is virtually impossible to moor vessels any sooner than 30 minutes between arriving vessels.

- iv. In 2022 if the NCL berth is operational as the fifth dock, prohibit hot berthing as a scheduled practice.

Docks & Harbors favors a restriction to limit hot berthing of a future NCL berth and recommends this prohibition be incorporated in lease negotiations.

- 6. CBJ should clearly establish guidelines and goals for the scheduling/assigning of **municipal** docks. These recommendations should be implemented over the next three years based on feasibility and need.
 - a. In 2020 and going forward, prohibit docking or anchoring of passenger cruise ships of any size in Auke Bay, specifically Statter Harbor, except for emergency purposes.

Docks & Harbors objects to this statement as written. Docks & Harbor agrees that the existing infrastructure is woefully inadequate and currently not suitable for supporting cruise ships. However, it may be adequate and desirable for small cruise ship visits following recapitalization of the aging Statter Breakwater. There is also a concern that large yachts or mega yachts with only 12 passengers could be prevented from using Statter Harbor under these recommendations.

- b. In 2020 and going forward, work with CLAA and CLIA to provide more transparency and visibility for schedules and projected passenger counts, two years in advance or upon creation.
 - c. In 2021, stagger arrival times of ships by 30 minutes.

This reads as if a change is required. Currently ship arrivals are scheduled at no less than 30 minutes between vessels. There may be confusion within the community as the CLAA maintains two arrival schedules, one for the general public which is approximate and an operational schedule which is considered SSI (Sensitive Security Information) used by those who need an accurate arrival time. The latter will never schedule two cruise vessels to arrive simultaneously.

Safety is number one concern for all involved in the maritime transportation industry and arrival times are closely aligned with the Alaska pilots. Additionally, the longshore labor pool is limited that it is virtually impossible to moor vessels any sooner than 30 minutes between arriving vessels.

- d. In 2022 if the NCL berth is operational as the fifth dock, prohibit hot berthing as a scheduled practice.

Docks & Harbors favors restriction to limit hot berthing of a future NCL berth and recommends this prohibition be incorporated in lease negotiations.

- e. Prioritize berthing for shore power configured ships once additional shore power infrastructure is in place.

In general, Docks & Harbors does not concur with forcing CLAA to comply with operational

scheduling edicts. There are many operational and contractual requirements which CLAA must juggle in the preparation of schedules. Not only does CLAA schedule the Juneau berths but berths throughout SE Alaska. Mandating unilateral direction within the Port of Juneau may have unintended consequences throughout the region. The recommendation as written could require all vessels with contractual obligations to the privately owned AJ Dock to go to the CBJ owned electrified dock.

7. Incentivize Juneau as a turn port for smaller ships.

Docks & Harbors strongly concurs with incentivizing Juneau as small cruise ship turn port and is in the process of conducting Small Cruise Ship Infrastructure Master Plan. This plan will determine opportunities to support the smaller cruise ship industry needs, defined as vessels under 275 feet in length. Encouraging Juneau as a turn port would be an economic boom for many small local businesses.

8. Juneau should establish a marketing identity through their destination marketing organization, Travel Juneau. Integrate this marketing identity across the community (conceptual draft – Juneau is proud of its cultural heritage, support of the arts, love of the natural environment, and finds its identity as an ocean and mountain town).

1b) Is the approach adequate within the existing dock infrastructure and within other foreseeable public or private infrastructure projects for the growth anticipated?

The current management approach within the existing and foreseeable infrastructure projects is not adequate. Many of the current projects address important issues, but the approach needs to be consistently coordinated among city, state, and federal partners. Additional work should be continued to mitigate current impacts and anticipate future impacts. Numerous upgrades to downtown infrastructure are underway and some may be impacted by reduced Marine Passenger Fee revenue. These projects increase Juneau’s ability to host large numbers of visitors. The upgrades, with completion dates, include:

1. Egan Drive improvements (2020) – ADOT reconstruction of Egan Drive from Main Street to 10th Street.
2. Small bus staging at the Archipelago area (2022) – Deckover of tideland area close to the Marine Parking Garage to provide space for passenger bus loading.
3. Open space at the Archipelago area (2022) – Private project adjacent to the Marine Parking Garage to develop commercial and open space on the waterfront.
4. Sidewalk stanchions (2020 - 2022) – Continue installing barriers at the edge of sidewalk along S. Franklin Street to separate pedestrians and vehicles.
5. Warner’s Wharf Alley Improvements (2020-2021) – Safety and pedestrian improvements to the Seawalk access on Warner’s Wharf, adjacent to Pier 49.
6. Dock Electrification planning (ongoing).
7. Seawalk Infill at Marine Park (2021) – Install Seawalk decking over the area where the lightering ramp and float was removed. This will extend the Seawalk to connect to Marine Park.
8. Seawalk expansion South to AJ Dock planning (ongoing).
9. Marine Park Upgrades (2023) – Park reconstruction project to improve pedestrian flow and user

amenities on the waterfront.

10. Marine Way Seward Street Crosswalk (2021) – Evaluate location of crosswalk and utility of left turning movement at Seward Street.
11. Cruise Ship Real Time Wastewater Monitoring (2021) - Install instrumentation and control systems to track strength and flow rate of discharges to allow for efficient plant management.
12. Franklin Dock Floating Berth (2021) – Private project evaluating replacing the current cruise ship dock with a floating berth.

Recommendations

1. Additional infrastructure development should be considered in the downtown area to accommodate current volumes and potential growth. Continued efforts to move people and vehicles through downtown efficiently and safely are necessary.
 - a. Traffic congestion on S. Franklin is a critical infrastructure issue that needs to continue to be addressed through planning, design, and construction to separate pedestrian and vehicular flow. CBJ and DOT should coordinate to accomplish this work. Considerations should include:
 - i. Maximize right-of-way space for pedestrians.
 - ii. Minimize required stops for vehicles.
 - iii. Extension of pedestrian stanchions.
 - iv. Minimize and consolidate turning movements.
 - v. Focus pedestrian flow to crosswalks and desired destinations.
 - vi. Improve pedestrian flow by creating better access between Seawalk and S. Franklin Street.
 - vii. Consider staging areas outside of downtown for cargo deliveries and incentivize companies to deliver outside of times when cruise ships are in port.
 - viii. Encourage and incentivize electrification of tourism vehicles.
Docks & Harbors has coordinated with AELP and has installed the necessary electrical vaults and conduit to provide electrical charging stations at the newly constructed Archipelago Lot. Currently there are no small electrical busses in Juneau but Docks & Harbors will be prepared to support when the need is requested.
2. Research and develop efforts to move people on and off the right-of-way, including circulators, electric ferries, Seawalk extension, connections between S. Franklin Street with the Seawalk, and other alternative pedestrian routes.
3. Prioritize dock electrification and continue to work with the electrical utility to monitor electrical capacity available for purchase on either an interruptible or firm basis.

Docks & Harbors has contracted with Haight & Associates to determine Juneau's energy capacity to power additional cruise ship berths. In addition to other requirements, the study will determine anticipated rate increases if the power is provided on an interruptible or firm basis. The report is expected to be complete in April 2021.

4. Limit expansion of downtown dock infrastructure to allow for no more than one additional larger cruise ship.
Docks & Harbors does not object to limiting the downtown large cruise ship capacity to five. It is recommended that the limitation be negotiated contractually during tideland lease discussions.

5. Wastewater, water, and air quality should continue to be evaluated by the City and State to reduce impacts on the health of the community and environment. Responsible agencies should evaluate and plan to analyze capacity and impacts of increased cruise ship visitation. Air quality should be monitored regularly for adherence to strict standards, including compliance with the Marine Vessel Visible Standards (18 AC 50-.070) and all available and reasonable steps to minimize visible stack emissions while in port should be taken.
6. Plans for infrastructure development including design standards and analysis of growth and impacts should be completed for other areas outside of the downtown waterfront where tourism growth is occurring or could occur, such as Auke Bay and North Douglas (Eaglecrest).
Docks & Harbors has proactively studied and advanced ideas to reduce congestion in the Auke Bay vicinity. This includes the acquisition of the Auke Bay Marine Station and steadfast efforts to execute the multi-phase Statter Harbor improvements. Docks & Harbors is open for innovative ideas encouraging large water taxis or ferry shuttles to transport visitors from the downtown core to Douglas Harbor or the eventual NCL dock.
7. Support public and private development ventures that alleviate pressure on existing infrastructure.
8. Ensure recreational facilities such as trails for hiking and biking are developed to maintain Juneau as a top recreational place to live and visit.
9. Recognize the contributions of Native Alaska organizations to the downtown core and support continued growth of cultural tourism and installation of Native Alaska art in public spaces.

2. Mayor's charge: Regarding reviewing and updating the Long Range Waterfront Plan

The Long Range Waterfront Plan (LRWP) has guided CBJ thinking and actions on the development of waterfront infrastructure for the last 15 years. The LRWP was the culmination of a great deal of planning work in the early 2000's. Writing, considering, and adopting the LRWP was very time consuming, and required extensive and sustained public engagement. Updating or re-writing the Plan would be similarly difficult and time intensive.

2a) What are the pros and cons of updating the LRWP?

Pros

1. The LRWP is an infrastructure development plan for the waterfront land between the Juneau - Douglas Bridge and the Little Rock Dump. The extent of tourism reach in Juneau has expanded beyond the downtown waterfront; updated planning could be done in areas outside the scope of the LRWP, including harbors and transportation corridors.
2. Proactive planning instead of a reactive approach is needed on infrastructure and tourism issues.
3. In 2004, the work on the LRWP was a positive step in bringing the community together on tourism issues.

Cons

1. The effort and cost of the LRWP was very high.

2. It is uncertain whether the community has the capacity to focus on a yearlong waterfront planning process.
3. The current plan is still functional and valid for the waterfront area.
4. There are many neighborhood, harbor, and park plans that inform zoning and infrastructure development.

2b) If the LRWP was updated, should it be an infrastructure update or should that update consider other policy or operational issues?

1. The LRWP horizon extends to 2026. Currently, the concept design approaches and recommendations within the plan are still valid and can be used as a foundation for continued development along the downtown waterfront. Approximately 50% of the tasks outlined in the LRWP are complete; progress should continue to complete the remaining viable tasks by 2026.
2. Updates on completed projects along the downtown waterfront should be made and communicated to the public through a conceptual five-year Capital Improvement Program (CIP).
3. Regarding considerations of policy and operational issues, recommendations in Task Force charging question #1 respond to this need.

Recommendations

1. Do not expend the effort necessary to update the LRWP. The CBJ Assembly should maintain focus on better tourism management and rely on the finer detailing from the ongoing Blueprint Downtown planning efforts.
Docks & Harbors agrees that the LRWP has proven to be a significant guiding principal in developing the downtown waterfront. Numerous improvements can be attributed to the LRWP and it is not recommended that a revision is necessary. More recent studies such as the Urban Design Plan (Taku Dock to Marine Park) and the ongoing Blueprint Downtown and Small Cruise Ship Infrastructure Master Plan appear to provide a community vision of appropriate and sustainable planning documents.
2. Complete development of the Seawalk.
Docks & Harbors strongly supports the completion of the Seawalk from the Douglas Bridge to AJ Dock. One of the Small Cruise Ship Infrastructure Master Plan preliminary alternatives encourages development along the Coast Guard/NOAA Dock which would provide linkage from Gold Creek to the Merchant's Wharf.

3. Mayor's charge: Regarding the persistent idea of a restriction on the number of visitors

1. Consider and research whether a restriction on the number of visitors arriving in Juneau would be legal, enforceable or practical.
2. If found to be legal and enforceable, advise on the pros and cons of the concept of restricting the number of visitors and whether a restriction strategy might be:
 - a. A concept that would apply to annual/seasonal visitation numbers?
 - b. A concept that would apply to daily visitation numbers?

3. Consider whether changes to ship scheduling (daily arrivals and departures) might address community concerns and impacts.
4. Consider the pros and cons of CBJ becoming involved in dock scheduling.

Legal Considerations

The City Attorney provided the task force with a memo on January 21, 2020 that broadly outlined the numerous legal hurdles that could oppose a legal limitation on the number of cruise ship passengers that visit Juneau.

Practical Considerations

As a practical matter, limitation of cruise ship passenger visitation can be achieved by the following methods:

1. Limit by Infrastructure

Whether or not to lease tidelands for a new dock (or docks) to accommodate larger cruise ships is the most pressing capacity question that Juneau will face in the foreseeable future. The CBJ Assembly should spend a significant amount of time studying this issue. A new dock may or may not supplant the existing anchoring and lightering and may or may not result in significant ship visitation growth. However, that analysis is greatly over simplified.

2. Limits on Ship Scheduling

The revenue bonds that financed the construction of CBJ owned cruise ship docks and lightering float (commonly known as 16B) requires that the debt service not be placed in jeopardy. The bonds are scheduled to be paid off in 2034, but the CBJ can prepay the bonds as early as March 1, 2026. Limitation on dock availability (such as instituting “no ship days” at CBJ facilities) at the municipal docks may cause such jeopardy.

CBJ does not have the authority to limit scheduling/berthing at the two privately owned docks. If, over time, the municipality acquired the private docks, it would eventually have more control of scheduling once the debt incurred in the acquisition was retired. Note, however, that neither private dock is for sale.

To limit ships anchoring and lightering, CBJ could consider limiting availability of its owned lightering docks. However, private lightering options could become available.

Daily or hourly limits could also be considered on the availability of commercial activity on CBJ lands and harbors.

3. Limit by Negotiation

CBJ effectively ended years of litigation with CLIA by negotiating a Memorandum of Agreement that satisfies the needs of Juneau and the industry. A best course of action should include determining community goals and directly negotiating to achieve them.

4. Financial Incentives/Disincentives

Different ship berthing protocols can result in less congestion, but there are barriers to adjustments to the assigned berthing locations. Issues include cruise lines’ historical preference and the economic disparity between the rates charged at less expensive CBJ facilities and the

costlier private berth options.

Recommendations

1. At this time, the CBJ should not pursue a hard numerical “cap” on numbers of visitors because it is legally questionable and logistically impractical. Limitations can be achieved through other measures, including port infrastructure capacity to better manage the impacts of visitors.
Docks & Harbors concurs with not pursuing numerical caps to manage industry growth. It would be preferable to impose limits through negotiations such as through CLIA annually or thorough a tideland lease process for the NCL Dock.
2. Request CBJ Law to research how other U.S. communities have instituted a numerical visitor cap and /or other possible methods of limitations.
3. CBJ has traditionally left scheduling of the port and assigning of the City docks to CLAA, but should take a more active role to achieve its management goals. See section 1a of this report for specific recommendations.
Docks & Harbors respectfully disagrees that a more proactive role in scheduling would lead to greater efficiencies or quality of life improvements. CLAA orchestrates a very complex scheduling of ships throughout SEAK and even the best intentions of local demands could be detrimental to the overall regional scheduling scheme. Docks & Harbors does, however, recommend that its staff meet annually with CLAA to discuss Juneau-specific concerns. This could include ensuring CLAA is aware of events such as the Blessing of the Fleet, Maritime Festival and 4th of July impacts.
4. CBJ should negotiate changes that would promote more efficient ship scheduling, berthing and managing congestion, such as assigning larger capacity ships to the City docks and reducing traffic on South Franklin.
Docks & Harbors respectfully disagrees that a more proactive role in scheduling would lead to greater efficiencies or quality of life improvements. CLAA orchestrates a very complex scheduling of ships throughout SEAK and even the best intentions of local demands could be detrimental to the overall regional scheduling scheme. Docks & Harbors recognizes that the private docks have contractual relationships with individual cruise ship companies which could adversely imperil those legal obligations. CBJ has successfully managed the two city-owned cruise ship docks for several decades without contractual agreements. Docks & Harbors does not see the necessity to make recommended changes.
5. By 2023, CBJ should negotiate a formal agreement with the industry to limit the number of ships to five larger ships per day, one ship at each dock or four ships at docks and one at anchor (if the fifth dock is not built or if a fifth ship chooses to anchor instead of dock). This would give the industry time to adjust to recommendations.
Docks & Harbors agrees with pursuing non-regulatory agreements which limit the number of large cruise ship vessels to five per day.
6. CBJ should work with cruise lines to attempt to “get the peak out of the week” and balance the numbers of visitors across days of the week. There are more docks being constructed throughout Southeast; CBJ and other Southeast communities should work with the cruise lines to manage visitation throughout the region.
Docks & Harbors agrees that in a perfect situation, the number of vessels and passengers arriving daily would be constant throughout the season. Unfortunately, market forces and traveler preference dictate most cruise ships depart from Seattle or Vancouver over the

weekend resulting in peak arrivals in Juneau early in the week. Docks & Harbors agrees with working together with the industry to improve the passenger experience constructively.

7. CBJ should work with the various agencies including CLAA, CLIA and individual ship lines to discourage or prohibit anchoring and lightering by larger ships if an additional dock is constructed. If a Subport dock is constructed, the CBJ should more thoroughly investigate and completely understand under what circumstances the USCG would remove or restrict the current anchorage.

Docks & Harbors agrees with the goal of limiting the number of large cruise ships to five per day using non-regulatory or negotiated agreements.

8. The Visitor Industry Task Force did not reach consensus on the issue of a ship free day or “no ship days” at one CBJ dock per day. One option could be instructing CLAA to cease assigning one of the city docks on certain Saturdays, alternating between Alaska Steamship Dock and Cruise Ship Terminal. Issues discussed included:

- a. Economic impacts
- b. Region-wide scheduling considerations
- c. Inability to control assigning of private docks
- d. Legal and debt service concerns (16B docks)

Docks & Harbors does not concur with limiting the Docks Enterprise opportunity for revenue generation. Docks & Harbors does not receive general funds supported by property tax or sales tax and revenue reductions do affect its operational budget.

4. Mayor’s Charge: Considering methods for collecting public opinion

Consider the pros and cons of collecting public opinion through formal surveys, including researching survey costs. Public opinion is always important for the CBJ Assembly to determine and collect; however, asking simple yes/no questions on nuanced issues can be polarizing and can be difficult to get the public to understand all of the details necessary for formation of well-founded policy decisions.

In the 1990’s and 2000’s, CBJ commissioned a number of surveys of public perceptions on tourism. The 2002 Juneau Tourism Management Plan identifies survey results as the primary indicator for activating “safety valves” – constructing an additional port separate from Juneau, but within the Borough to disperse the CBJ’s visitor load. Public surveys can be a useful community engagement tool, because they make it possible to get results from a broader cross section of the community than with other public engagement methods. However, it is important for survey questions to be well designed. It is also important to have a clear understanding of the purpose of the public survey. Such a survey could be focused on general public perception (i.e. “has Juneau reached its capacity for cruise tourism?”) or focused on measuring community impacts in specific areas. It would also be important to consider who would use the survey results and for what purpose.

Recommendations

1. Engage a third party contractor to complete a public opinion survey of Juneau residents at the end of the 2021 cruise season.

Docks & Harbors concurs that surveying the public is a useful exercise in developing metrics to

meet expectations.

2. Depending on the utility of a survey, additional surveys should be planned to gauge how management strategies are influencing public perception.
3. Consider collecting data on the effects of hot berthing.

Additional Task Force Discussion Issues

Subport Development/Upcoming Norwegian Cruise Line Dock Proposal

Whether or not to support an upcoming Subport development proposal is a CBJ Assembly decision. The USCG and/or NOAA also have important roles. Future discussions should consider allowing, limiting or prohibiting anchoring in the Juneau Harbor. The use of dynamic positioning navigational systems, which when in use, designate vessels as “underway” vs. “anchor” should also be discussed as this may change the ability of agencies to utilize certain management tools to control the anchorage.

A shift in docking or anchoring of cruise ships may alter spending patterns of passengers and affect the local economy. In addition, a dock at the Subport could leverage other community goals such as:

1. Seawalk
2. Small Boat Harbor
3. Ocean Center
4. Berthing for small cruise ships (The Task Force does not yet have an accepted definition of “smaller ships”)
5. Homeporting of “small ships”
6. Economic and/or Housing Development
7. Pedestrian management such as a walkway crossing over Egan
8. Reducing vehicle congestion on S. Franklin Street

Recommendation

Support a Subport dock if the following conditions are met, recognizing that some of these conditions are beyond NCL or any other developer’s control. However, the Task Force submits these items for Assembly consideration in making policy decisions:

1. One larger ship per day using one side of the facility;
2. Maximum of five larger ships in port per day;
3. No hot berthing at the new facility;
4. No larger ships allowed to anchor as the sixth ship in town. Larger ships may anchor but the number of larger ships in port would still be limited to five (CBJ to consider legal ramifications of limiting size of ships at anchor);

5. High quality uplands development for community and visitors;
6. Year round development orientation;
7. CBJ manages dock to some extent through a public private partnership or management agreement;
8. Dock is electrified.

Docks & Harbors generally concurs with these recommendations and is not opposed to opportunities to manage other facilities as a public private partnership. We believe the community is best served with the waterfront in local control. As stated elsewhere Docks & Harbors does not object to non-regulatory limitations of no more than five large cruise ship per day.

Cruise Ship Size Discussion

The task force report includes many recommendations related to cruise ship size, especially as related to a potential new NCL dock and anchoring of ships. In the report, the term 'larger' cruise ship is used and a specific definition of larger ship is not given for the following reasons:

1. The length of a ship does not necessarily determine the number of passengers.
2. Limiting ships by number of passengers may require additional legal analysis.
3. The concern on ship size is related generally to the amount of impacts it creates in the community on the environment, traffic and congestion, and infrastructure. The Assembly may have to define a 'larger ship' as it proceeds with tourism management, but this definition will likely include a deeper analysis of impacts, expected fleet of ships, and ongoing and planned infrastructure development. The committee suggests that 'small ships' are those with 500 or fewer passenger capacity. 'Larger' ships are those that exceed these a 500 passenger capacity.

Docks & Harbors is using the overall length of 275 linear feet as the upper limit in the Small Cruise Ship Infrastructure Master Plan. This length was selected because American Cruise Lines maintains a vessel which operates a 273 foot vessel in SE Alaska named the CONSTELLATION. American Cruise Lines would like to utilize downtown facilities but the CONSTELLATION is too large for any of the small vessel moorage locations.