

**ASSEMBLY STANDING COMMITTEE
LANDS, HOUSING & ECONOMIC DEVELOPMENT COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

August 8, 2022, 5:00 PM.

Assembly Chambers & Zoom Webinar

5:00pm: Assembly Lands Housing and Economic Development Committee

<https://juneau.zoom.us/j/94215342992> or 1-253-215-8782 Webinar ID: 942 1534 2992

AGENDA

I. CALL TO ORDER

II. LAND ACKNOWLEDGEMENT

III. ROLL CALL

IV. APPROVAL OF AGENDA

V. APPROVAL OF MINUTES

A. June 6, 2022 Minutes

VI. AGENDA TOPICS

A. Moline Investment Management Request to Purchase City Property Located at Pederson Hill

B. Telephone Hill Acquisition

C. Ordinance 2022-30 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Catholic Community Services Property Located near 1800 Glacier Highway, from D-10 to Light Commercial.

At its regular meeting on April 12, 2022, the Planning Commission recommended the Assembly rezone 2.6 acres from D10 (residential) to Light Commercial. The property is across from Wickersham Drive, and is recognizable by the Bridge Adult Day Care and AKcess paratransit service. The Planning Commission based its recommendation on recent Assembly decisions that found Light Commercial to conform to the 2013 Comprehensive Plan of Medium Density Residential.

D. Ordinance 2021-36 An Ordinance Amending the Land Use Code Relating to the Downtown Juneau Alternative Development Overlay District.

In 2017, the Assembly established an interim Alternative Development Overlay District for downtown Juneau. Since then, the Community Development Department and the Planning Commission have worked on drafting permanent regulations. This ordinance would establish the permanent regulations for downtown

residential properties, which would modify existing lot size, lot width, vegetative cover, structure heights, and setbacks. These proposed regulations would create options for residential development that are more consistent with the current neighborhoods.

VII. STAFF REPORTS

VIII. COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS

IX. STANDING COMMITTEE TOPICS

A. 2022 LHED Committee Goals

No updates.

X. NEXT MEETING DATE - August 29, 2022

XI. RED FOLDER ITEM - Tlingit Haida Regional Housing Authority Interest to Purchase Pederson Hill

A. Tlingit Haida Regional Housing Authority Interest to Purchase Pederson Hill

XII. 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 MINUTES
LANDS HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA
June 6, 2022, 5:00 P.M.**

I. CALL TO ORDER

II. LAND ACKNOWLEDGEMENT

III. ROLL CALL - Chair Hale called the meeting to order at 5:00 pm.

Members Present: Chair Michelle Hale, Greg Smith, Wade Bryson, Wáahlaal Gíidaak

Members Absent: none

Liaisons Present: Mandy Cole, Planning Commission; Lacey Derr, Docks and Harbors

Liaisons Absent: Chris Mertl, Parks and Recreation

Staff Present: Dan Bleidorn, Lands Manager; Roxie Duckworth, Lands & Resources Specialist; Jill Maclean, CDD Director; Beth McEwen, City Clerk

Members of the Public Present: Reggie Schapp, JAHC Operations Manager

IV. APPROVAL OF AGENDA – The agenda was approved as presented.

V. APPROVAL OF MINUTES – June 6, 2022 draft minutes were approved as presented.

VI. AGENDA TOPICS

A. L3Harris Technologies Inc. request to lease CBJ Property

Mr. Bleidorn discussed this topic. Ms. Cole asked if this company is a private, for-profit corporation, not a nonprofit to work under this code. Mr. Bleidorn replied that it could be a private, nonprofit, or a government agency if they are working under the FAA contract. Their sole purpose is to provide information to the Juneau International Airport, which is owned by the City and Borough of Juneau. I'm comfortable with this in that as the owner of the airport, the assembly is responsible for safety, so this being located on city property there may be a grey area but I'm comfortable arguing in favor of it. Ms. Cole followed up to comment that the disposal says to a nongovernmental agency, specifically in the city code. Mr. Bleidorn thought there was a section to government agencies and one to nongovernmental agencies and will look into this.

Wáahlaal Gíidaak moved that the Lands, Housing and Economic Development Committee forward this application to the Assembly with a motion of support to lease CBJ property to L3Harris Technologies Inc. in accordance with 53.09.270. Motion passed, no objections.

B. JACC Building Lease to the JAHC

Mr. Bleidorn discussed this topic and introduced Ms. Schapp from the JAHC to speak on this issue. She commented that the rent doesn't need to stay at \$275 but her biggest concern is for FY23 and FY24. Much of their income comes from rental income and they're going to lose Centennial Hall rental income for seven months of 2023 and three months of 2024. The JAHC has saved money in order to pay and keep staff on through the renovations but does not have the funds to cover this amount of rent increase. We know \$275 is a very low rate, we like to ask that we could amend this for two years, FY23 and FY24, to be \$500 a month and then we can look at doing the full five years in the future. With the loss of Centennial Hall income and this big rent jump right now, it's squeezing us a little too hard.

Chair Hale commented that one option to consider at this committee, before forwarding to the full assembly, is recommending a different rate than that \$1700 and recommending it for the full five years of the lease to avoid complication.

Mr. Smith asked to clarify the rent amount. Ms. Schapp commented the reevaluation is for the maintenance costs, which the JACH should be able to cover in the future after having Centennial Hall rental income back. She liked Chair Hale's idea of five years at \$500 but wasn't trying to be unreasonable. Income is hard to come by right now as they have had a loss of income and do not want to lose staff, which is what this rent increase will cost the JACH. Mr. Smith asked how often the lease amount is supposed to be renewed. Mr. Bleidorn replied that the current lease and ordinance state that every year the lease rate would adjust to the previous year's building maintenance costs.

Wáahlaal Gíidaak asked about the seven months in 2023 and the three months in 2024 that are going to go without rental income. Ms. Schapp replied that will be the renovations to Centennial Hall, new movable walls and a new HVAC system, that starts on December 1 of 2022 and supposed to go through to September of 2023. No big money rentals will be coming in during that time.

Mr. Bryson asked who is the property manager, makes arrangements for performances, and collects fees, is that the JACH or the city. Ms. Schapp replied that the JACH manages both properties, collect rents and make event deposits. We have the staff that takes care of the maintenance of the events, not maintenance of the building, but setting up tables and chairs, making sure the kitchen is clean for the caterers to come in and provide their services. We collect those funds and we pay the staff. Mr. Bleidorn replied that city building maintenance staff works on large ticket items for both facilities and for item that need more funds can go through the engineering department. I think that's really key to this, because it's really important for our long term assets to make sure that we have oversight of those large building maintenance items. The JACH is obviously a great long term lease but if people vacate leases and they're in charge of managing the larger building maintenance items, sometimes we receive buildings back in pretty tough shape. This allows us to have that oversight, to make sure those necessary functions of the building are being maintained at a city standard.

Mr. Bryson followed up to comment that he understands that the city owns the buildings and pays for the maintenance. The JACH provides a service for the community, they book and organize our civic center, and they're performing a city task, which might give them the category of going below market rate. To me this organization is doing a city service on our behalf, is that not how it lands department sees it. Mr. Bleidorn replied that's a really great point of information, because we're talking about the cost of building maintenance, which is less than fair market value to begin with, both are less than fair market value. Assuming that if we appraised this building the rate would come back at more than just the cost to maintain it, if we were going to try to lease it out for another purpose. It's just a matter of what level below fair market value would be. Mr. Bryson followed up to comment that he comprehends that they are getting below fair market value in the lands view because they're performing a city task, if this organization was not performing this task for us we would have to pay an organization 10% of the rentals. We would not only be collecting rent from this property manager organization, we would have to be paying 10% of collected revenue to a property manager to perform this same task. I understand that they lease property on that space and that that's a component of it. In getting to that 1700 dollars a month, they can help

contribute to maintenance, I think we have the point of Centennial Hall being shut down for great deal of time, but we also have, if we weren't performing this service, we'd have to pay someone management services, so I don't know that I'd be in favor of raising it to 1700 dollars a month as we're having this discussion.

Ms. Schapp commented that that they received the Juneau Arts and Culture Center, which is also the JACC, back from the warming shelter and it was in great disrepair and had to put a lot of money in it. They had to deep clean everything, they put in time, blood, sweat and tears. Our volunteers came out and why we only spent \$26,000 is because more than 70% was done by volunteers to put that building back together, because the maintenance wasn't properly done.

Chair Hale commented that pre-Covid CBJ was managing the JACC, then made a change and the JAHC took over that management. I think the results of that are relatively cost neutral and that's only because we had to pay the state for terminating those job classes and that's part of the PERS costs. Now, as I understand it from people involved, life is much easier for CBJ with the JAHC doing this management than it was prior to that. To Ms. Schapp, you're doing a great job, thank you.

Wáahlaal Gíidaak commented that she is comfortable with reducing the amount but would like to see this conversation also take place at the Finance Committee. It seems like a natural place where we have a conversation about finances and the extra costs that it's going to put on the city now as a result of reducing costs to the JAHC. Mr. Bleidorn commented that he wanted to bring up the fact that this is managed by the Lands Division, it's a city owned property but comes from the Lands Fund, which keeps it separate from the general fund. And I believe in our current budget we have it at \$275 which will not negatively affect the land budget for the next year. The year after that it will be on another biannual budget and we should make sure to tidy this up. As soon as Lands staff came across this, we scheduled it for the next meeting because we wanted to have this exact discussion.

Mr. Bryson moved that the Lands, Housing and Economic Development Committee forward this application to the Assembly with a motion of support to lease CBJ property to the Juneau Arts and Humanities Council for the amount of \$500 per month for fiscal year 23 and fiscal year 24 and for the remaining three years of the five-year lease to increase to \$1,000 per month per year. Motion passed, no objections.

VII. INFORMATION ITEMS

A. CBJ Naming Policy

Ms. Maclean and Ms. McEwen discussed this topic. Chair Hale noted that in 2007 this was a topic of conversation and was taken up by the Assembly in the past, and at a future meeting her intent with this on the agenda was that this was one of the assembly goals, to talk about the CBJ naming policy and at a future meeting but I'd like to actually keep it in committee for a bit, with a future meeting we could learn more about what has happened and what we might want to do.

Mr. Bryson commented that he is familiar with some school name changes, being front and center in the media. What are some of the other examples that the city's had to face for name changes and what are some of the issues that have surrounded changing names from community members or what legal issues we might run in to. Ms. McEwen replied that she had done some digging in the

interim and found lots of different naming issues have come up over the past few decades. One of the policies in the past has not been to name anything after a living individual. I do believe a policy is in place that has been reviewed and approved by the Assembly, I don't have a copy of it and hand and wasn't coming across it right in my small amount of searching, but we should look at the Parks and Rec naming policy. That said, we have had resolutions through the years, back in 2002 and 2010 was another. The recent sensitivity and controversy was with the naming of the Mike Pusich Harbor in Douglas and the Docks and Harbors minutes would reflect whatever that conversation and eventual resolution was. The resolution to name it the Mike Pusich Harbor did come before the assembly and was adopted, but there was some conversation, both in Docks and Harbors and some of the Assembly standing committee meetings. I don't recall which standing committee, it was that they talked about that, but it's been something that has touched multiple different CBJ bodies over the years and some policies have been put into place. This is something we can unearth in the records.

Chair Hale spoke to Mr. Bryson's comment. In our assembly goals we're talking about the naming policy and my intent in bringing this forward was to talk about that, not necessarily a renaming policy. Mr. Bleidorn's memo does go into some of the difficulties that arise when we rename a street or something because everybody has to change their address, and that gets really complicated. I think with a renaming policy we're talking about but my specific interest about what is our naming policy. Mr. Bryson replied that when reading the memo he was little confused, what are the issues that are popping up, are we afraid people are going to use an offensive term or are we trying to set better guidelines for names, because I was thinking that street and harbor names, they don't have the same implications of when you name a business, you think how people are going to relate the business and the business it conducts. When you're talking about renaming "Cherry Hills Drive," it's just Cherry Hills Drive, I'm not sure what are the issues that are popping up that's what I'm trying to figure out.

Wáahlaal Gíidaak commented that as we're considering what it means to name something or rename it because, in all honesty everything we're doing is renaming as it already has a name, it has had a name for 10,000 years, and so when we're talking about a naming policy, this should be called renaming policy. I've had this conversation with many people. The beauty of what we've done as an assembly in acknowledging the land that we sit on it has to go beyond that, giving these names true value because as you're reclaiming some of these indigenous place names you're also giving them descriptions, helping people see what these areas were, such as "this used to be a salmon habitat, this used to be where we got halibut, this is a bad place to invest, because you don't want to build here because it's rotten earth," and so on and so forth. There's value to be had by having this deeper discussion on what it could look like as we're going beyond land acknowledgments and really celebrating the diverse naming policies that have been in place for 10,000 years.

Mr. Smith asked to confirm in the memo that other areas, such as parks, trails, buildings, areas, and neighborhoods, these can be named by an appropriate governing body. I read the news about the School Board renaming Riverbend. Do I understand that Docks and Harbors and Parks and Recreation can name their properties, all happens at those bodies and from what it looks like, there's nothing in code that has put any direction on this. Ms. McEwen replied that she didn't believe we have anything in code, however, there may be some resolutions. In conducting a quick search I pulled up resolution 2144(am-2), which was the resolution, Naming the Bypass Road Park

as “Aant’iyeik Park”. And if I might, for just so you have an understanding of the language, what was used, and why it was used, the minutes go into more detail,

“whereas the Human Resources committee recommended at its March 18 2002 meeting that the Bypass Road Park be renamed as Aant’iyeik Park and whereas the Tlingit name”, and excuse my mispronunciation if it's not coming out right, “Aant’iyeik which literally means ‘Spirit of the Land’, was chosen in respect for the native village site that is located nearby; now, therefore, be it resolved by the Assembly of the City and Borough of Juneau: Section 1: The Bypass Road Park should be in hereby is named Aant’iyeik Park. Section 2: Effective Date. Effective This resolution shall be effective immediately upon adoption. Adopted this 15th day of April, 2002.”

Chair Hale stated her strong interest in this topic and commented to Wáahlaal Gíidaak in her appreciation in that everything we are doing is renaming. I wanted to bring this before the assembly and I advocated for it when we were voting on our primary issues that we would work on this year. Year after year I keep seeing things being named after people. In a previous job when I worked at the legislature, I worked with X’unei Lance Twitchell and other people that were talking about place names in Alaska and as Wáahlaal Gíidaak said, they all have names which are meaningful. If we have a hard time pronouncing them well, we can learn, and there are people that will help us learn to pronounce them. When I see Auke Bay, and I mean no offense whatsoever to families of people for whom these different harbors are named after, but when I see Statter Bay Harbor named after Mr. Statter and I see the Douglas Harbor named after Mr. Pusich, and even calling it the Douglas Harbor, that's a man that we've named the harbor after. There's the Mayor Bill Overstreet Park, where we have this incredible humpback whale statue, I bet there might be a nice Tlingit name about the whale rather than Mayor Bill Overstreet for all of his good qualities, so I see this happening again and again. I don't see the assembly or any kind of policy that is directing what is happening. I see street names that are named for somebody's daughter, and whoever picks that name, that name sticks forever. I happen to be lucky that I live on Taku Boulevard, but we have these sort of haphazard naming conventions. I think of a time that I have spent in Hawaii, where it is really hard to find any streets that do not indigenous names. I've only found one street that did not have an indigenous name. Clearly, they have a naming policy they follow. That's my interest in bringing it before the committee and I am certain that it might be very contentious right now. I'm not talking so much about renaming what has been named but at least looking at any new names that we come up with how we are actually doing that.

Wáahlaal Gíidaak commented that maybe now is the time for some guidance for a newbie assembly member and asked if it would be permissible to make a motion that we continue to examine this as a working group work on some amendments to this. Chair Hale replied that it would be appropriate and welcomed the opportunity to have this come back before the committee. We've learned there is more information and to have people come in to assist with educating us about place names.

Mr. Bryson asked if it would be possible to get the naming policies from other cities to have examples to go off of. When he first started looking at this he had one perspective and with more examples and information he thinks this is a pretty good conversation.

Ms. McEwen commented that she would include Parks and Recreation director, George Schaaf to assist as he has been through naming conventions with the PRAC process that has gone through the naming convention.

VIII. COMMITTEE MEMBER/LIAISON COMMENTS AND QUESTIONS

Planning Commissioner Cole noted the housing crisis in Juneau. AWARE sees many people who are trying to get into the Glory Hall and they cannot stay there because they are overfull. I get calls every day in my day job about folks whose leases are ending because their properties are being turned into some other thing, whether it's a short term rental or housing for businesses. I'm really afraid that there's a little bit of an echo chamber because we talk about housing so much at the assembly level. I wanted to just bring to you the fact that I think this is of a different caliber than we've been seeing and I am really terrified in a way for our city, particularly our most vulnerable and lower income folks because we are unable to find a hotel room for folks who have funding. I've come before the assembly many times and talked about how I need help with money, but right now money to rent a place is not necessarily the problem, the problem is stock availability. If someone is receiving help from the government, or from an agency, there are so much competition for rentals that I believe those applications are not looked on as favorably as folks who are not using those kinds of assistance and that's a reality that I wish wasn't true but I, I think it is true. We are seeing some things that I think this committee needs to know more about so that we can understand. What is, the long term consequences of this housing crisis and I've heard from everyone from Assembly to my 15 year old son referred to it as the housing crisis. I think that's a pretty generally acceptable term at this point. I just wanted to make sure this committee is also aware.

Chair Hale commented that they have been talking about the housing crisis at the Committee of the Whole and is also seeing other communities do things like take a ferry and put people in state rooms and it may be that we need to try to through this committee or through the Committee of the Whole to try to get some kind of a jump on something like that.

Mr. Bryson commented that this is a very important conversation. He concurs with Ms. Cole and at the Glory Hall strategy meeting, "housing, housing, housing," dominated the conversation. I've spoken with tour operators that cannot employ enough people because they can't house people, they can't bring enough employees in and they're turning down sales because they just have nowhere to put employees. I would also say that Juneau is at the worst housing crisis in my entire existence being here. I had just this week, somebody who had been kicked out of their apartment for the beginning of July, fortunately, I had a room to put them in but, his landlord is converting what was his apartment into short term rentals. It's a very real problem and it's definitely at a crisis level. I appreciate that we're having this discussion at the Finance Committee.

IX. STANDING COMMITTEE TOPIC

A. 2022 LHED Committee Goals

No updates. Chair Hale commented that Community Wellness Goal A is where it talks about the place names naming policy and acknowledging and honoring Juneau's indigenous culture.

X. NEXT MEETING DATE – July 18, 2022

XI. ADJOURNMENT - Chair Hale adjourned the meeting at 5:52 PM.

MEMORANDUM

CITY/BOROUGH OF JUNEAU

Lands and Resources Office
155 S. Seward St., Juneau, Alaska 99801
Dan.Bleidorn@juneau.org
(907) 586-5252

TO: Michelle Hale, Chair of the Assembly Lands, Housing, and Economic Development Committee

FROM: Dan Bleidorn, Lands and Resources Manager *Daniel Bleidorn*

SUBJECT: Moline Investment Management Request to Purchase City Property Located at Pederson Hill

DATE: August 3, 2022

In early July, the Lands and Resources Division received an application to purchase city property from Moline Investment Management. The city property included in this application is located northwest of Karl Reishus Boulevard and is located adjacent to what is commonly known as Pederson Hill Phase 1 development. The property in the application is not included in Phase 1, and the Assembly has not provided any specific direction to the Manager for developing this area as part of the current Pederson Hill development. The area has been considered by the Assembly as a future phase of development once Pederson Hill Phase 1 is complete.

Prior to submitting the completed application, Charlie Moline met with CDD and Lands staff in order to discuss the disposal process, the applicant's goals, zoning, and development constraints. It was determined at that meeting that in order to complete this project the applicant would also need to apply for, and receive, a rezone because the property is currently zoned D10SF and the proposal is for D10 development. The application states that the proposed project will develop the property for multifamily housing utilizing tax credits to provide housing to residents at 60% AMI and below for 15-20 years.

53.09.260 - Negotiated sales, leases, and exchanges.

(a) *Application, initial review, assembly authority to negotiate.* Upon application, approval by the manager, and payment of a \$500.00 fee, a person or business entity may submit a written proposal to lease, purchase, exchange, or otherwise acquire City and Borough land for a specified purpose. The proposal shall be reviewed by the assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by

competition after an invitation for further proposals. Upon direction of the assembly by motion, the manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land.

The next step in the process is for this application to be forwarded to the Assembly as New Business to make a determination under 53.09.260. In order to dispose of this property, the Assembly must adopt an ordinance authorizing the sale after the Planning Commission has had the opportunity to review it.

Staff request that the Lands, Housing and Economic Development Committee forward this application to the Assembly with a motion of support to negotiate for disposal of City property to Moline Investment Management for the purpose of utilizing tax credits to provide housing to residents 60% AMI and below of 15-20 years.

Attachments:

1. 53.09.260 - Negotiated sales, leases, and exchanges
2. Property Application and map

* * * * *

53.09.260 - Negotiated sales, leases, and exchanges.

(a) Application, initial review, assembly authority to negotiate. Upon application, approval by the manager, and payment of a \$500.00 fee, a person or business entity may submit a written proposal to lease, purchase, exchange, or otherwise acquire City and Borough land for a specified purpose. The proposal shall be reviewed by the assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the assembly by motion, the manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land.

(b) Review and approval process. Upon satisfactory progress in the negotiation or competition undertaken pursuant to subsection (a) of this section, after review by the planning commission for disposals other than leases, after review by the assembly lands committee, and authorization by the assembly by ordinance, the manager may conclude arrangements for the lease, sale, exchange, or other disposal of City and Borough land. The final terms of a disposal pursuant to this section are subject to approval by the assembly unless the minimum essential terms and the authority of the manager to execute the disposal are set forth in the ordinance enacted pursuant to this subsection. The disposal may not be executed until the effective date of the ordinance.





Application to Purchase City and Borough of Juneau Lands

Applicant Information

Business / Individual *

MIM Manager, LLC

Address *

205 W Walnut St Ste 200
Street Address

Springfield
City

MO
State / Province / Region

65806
ZIP / Postal Code

Phone *

907-321-4689

Email

cmoline@cmoline.mgt.com

☐ Add Another Business/Individual

CBJ Land Information

The CBJ Assessor's Database will provide information regarding site address and legal description. The CBJ Parcel Viewer tool can provide necessary maps needed to complete this application.

Site Address *

4B220101002 4B2201010010

Legal Description *

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Provide Brief Description of Your Proposal *

40-60 unit Section 42 LIHTC Multifamily development

Provide a Map of CBJ Land you wish to Purchase *

 No file chosen

Accepted file types: pdf, Max. file size: 50 MB.

Have you mailed the \$500.00 filing fee? *

☒ Yes☐ Not Yet

Applications can only be processed when the \$500 fee is received. All checks are made out to "The City and Borough of Juneau" and can be sent to:

*The City and Borough of Juneau
Attn: Lands and Resources Division
155 S. Seward St.
Juneau, AK 99081*

Additional Comments for CBJ Staff to Consider

Section 42 housing provides affordable housing to residents 60% AMI and below for 15-30 yrs.
Current and past projects can be viewed at moline.myt.com

Upload Supporting Documents (optional)

Drop files here or

SELECT FILES

Accepted file types: pdf, doc, docx, Max. file size: 50 MB.

"By submitting this form, I agree all information is accurate. Submission of this request is NOT approval by the City and Borough of Juneau. I understand that staff will review my application and

follow up with questions. Once staff have reviewed my application, ultimate determination of my request to purchase City property will be made by the City Assembly."

Legal Representative of Business / Individual *

First 

Last 

CAPTCHA

 I'm not a robot

reCAPTCHA
Privacy - Terms

SUBMIT

MEMORANDUM

CITY/BOROUGH OF JUNEAU

Lands and Resources Office
155 S. Seward St., Juneau, Alaska 99801
Dan.Bleidorn@juneau.org
(907) 586-5252

TO: Michelle Hale, Chair of the Assembly LHED Committee
FROM: Dan Bleidorn, Lands and Resources Manager *Daniel Bleidorn*
SUBJECT: Telephone Hill Acquisition
DATE: August 4 2022

The buildings on Telephone Hill consist of approximately twelve dwelling units, which are occupied by approximately 17 tenants. Through DOT&PF, the lease of the buildings is managed by the Telephone Hill Neighborhood Non-Profit Management Corporation. The Telephone Hill property that is being conveyed by the State of Alaska to the CBJ also includes the land under the Main Street parking garage and the Downtown Transit Center.

The Legislature directed the Department of Natural Resources ("DNR") to convey Telephone Hill to the CBJ at no cost (HB349 (June 29, 2022)). Because DOT&PF currently manages the property, DOT&PF must internally transfer it to DNR before DNR conveys it to the CBJ. The State determined that it needed to give notice of eviction for the conveyance to occur. (Attachment 2).

There are many ongoing processes and unanswered questions that will be brought before this Committee and Assembly in the coming months including an appropriations ordinance to fund planning. To continue the process of acquiring Telephone Hill, the Assembly must adopt a resolution pursuant to 53.04.030:

53.04.030 - Grants and gifts.

Real property to be acquired as a grant or as a part of a program of grants or which is offered to the City and Borough as a gift, or at less than fair market value and which is not required for an approved project, may be accepted only upon the approval of the assembly by resolution.

Resolution 2999 includes the "Tenant Soft Landing" in Section 3. We have communicated this request with the State and will continue to do so to ensure that tenants are not untimely evicted.

Staff requests that the LHED Committee recommend the Assembly adopt Resolution 2999.

Attachments:

1. Draft Resolution 2999
2. Ryan Anderson, P.E. Memo dated July 28, 2022
3. Notice of Termination of Lease dated July 29, 2022
4. Master Lease for Residential Properties dated November 13, 2001
5. ADOT&PF PowerPoint dated May 02, 2019



Presented by: The Manager
Presented:
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2999

A Resolution Accepting Telephone Hill at No Cost from the State of Alaska.

WHEREAS, in 1984, the City and Borough of Juneau and the State of Alaska, through the Department of Transportation and Public Facilities (DOT&PF), entered into a Cooperative Use Agreement for the properties known as Telephone Hill in which the City provided \$2,000,000.00 for the State's purchase of Telephone Hill as a possible location for a new State Capitol; and

WHEREAS, in 2008, the Cooperative Use Agreement was amended in order for the City to build the parking garage and transit center, which capped the value of the CBJ investment at \$6.4M and allowed for the City to lease land located at Telephone Hill to build the parking garage and transit center with the intent that the State would work with the City to convey ownership at a future date; and

WHEREAS, the Property Disposal Directive Report released by the Governor's Office on June 6, 2019, listed this property as one to consider for divestment by the State; and

WHEREAS, the Alaska Legislature enacted HB349, §4 (2022), which directs the Alaska Department of Natural Resources to convey—without cost—Telephone Hill to the City & Borough of Juneau; and

WHEREAS, there are approximately twelve dwelling units on Telephone Hill, which are occupied by approximately seventeen tenants who have been on month-to-month leases with the DOT&PF; and

WHEREAS, the City & Borough of Juneau recognizes the DOT&PF gave tenants 30-day notices of eviction on July 28, 2022; and

WHEREAS, given the recent enactment of HB349, the City & Borough of Juneau is beginning a public planning process to redevelop Telephone Hill and intends to have the properties inspected for tenant health and safety, for condition assessment, and for environmental hazards.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Acceptance of Donation. Consistent with CBJC 53.04.030, the City & Borough of Juneau accepts the donation of the Telephone Hill properties identified in HB349, §4 (2022).

Section 2. Release and Satisfaction of Debt. In exchange for receiving the Telephone Hill properties at no cost, the City & Borough of Juneau acknowledges the State of Alaska, and its departments, satisfied any and all obligations originating from the \$2M initial investment by the City & Borough of Juneau, and the City & Borough of Juneau releases and waives any current or future claim arising out of or related to the original \$2M investment.

Section 3. Tenant Soft Landing. The City & Borough of Juneau requests the State of Alaska, and its departments, not actively enforce the eviction proceedings initiated by the July 28, 2022, eviction notices. The City & Borough of Juneau intends on requiring new short-term leases for any holdover tenants while the public planning process for redevelopment occurs.

Section 4. Effective Date. This resolution shall be effective immediately after its adoption.

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

MEMORANDUM

State of Alaska

Department of Transportation & Public Facilities
Office of the Commissioner

TO: Lance Mearig
Director, Southcoast Region

DATE: July 28, 2022

PHONE NO: 465-3900

FROM: Ryan Anderson, P.E. 
Commissioner

SUBJECT: No Longer Necessary
Decision Telephone Hill
Property Transfer

This memorandum transmits my decision that the purpose for the State of Alaska's acquisition of the Telephone Hill property, located on the corner of Main Street and Egan Drive in downtown Juneau, has been fulfilled. The Department of Natural Resources ("DNR") has been directed to convey the Telephone Hill property to the City and Borough of Juneau ("CBJ") pursuant to 13 SLA 22 (CSHB 349, Amendment 3, signed into law June 29, 2022), which will require as a preliminary matter that the Department of Transportation and Public Facilities ("DOT&PF") transfer to DNR all administrative authority and management rights over the Telephone Hill property for DNR's eventual conveyance to the CBJ. I find that DOT&PF no longer needs to retain the Telephone Hill property in anticipation of construction of public facilities to support the functions of the Alaska Legislature. Therefore, in accordance with AS 35.20.070 and 13 SLA 22, and for all the reasons documented in this memorandum, I direct that you transfer the Telephone Hill property to the DNR.

Purpose and Need for State of Alaska's Acquisition of Telephone Hill

In 1984 the State of Alaska acquired fifteen parcels in downtown Juneau to assemble a property ("Telephone Hill") for the construction of the Juneau Government Center, a proposed legislative hall and facilities to support the operations of the Alaska Legislature."¹ The Telephone Hill property was acquired under the State's eminent domain authority and DOT&PF's authorities to acquire property for the construction and operation of public facilities.² Ultimately, because the Alaska Legislature was able to design and build facilities to meet their needs at a lower cost, the Telephone Hill site became unnecessary for its intended purpose.

The original necessity of the State's acquisition of Telephone Hill was supported by a decision document that examined alternative sites considered for the Legislature's facilities.³ One of the

¹ Declaration of Taking, Case Number 1JU-84-1164 CI (July 25, 1984).

² AS 09.55.240, AS 35.20.020 and AS 44.42.020(b)(2).

³ Declaration of Taking, 1JU-84-1164 CI (July 25, 1984), Schedule C (*Analysis and Summary of the Decision for the Location of the Legislative Hall in Juneau, Alaska*, November 15, 1983).

analyzed sites would have developed properties directly adjacent to the State Capitol (“Site D”), including an elementary school, public park and playground.⁴ While Site D would have provided lower construction costs, there was significant public opposition to development at that site at that time.⁵ The City and Borough of Juneau’s Planning and Zoning Commission also passed a resolution specifically disapproving Site D for State Legislature facilities, which resulted in Site D’s removal from consideration from the State of Alaska’s acquisition and development plans.⁶

Despite historical objections, the State Legislature has incrementally implemented a variant of the Site D development plan over the course of the thirty-five years that the State of Alaska has retained Telephone Hill. In 1999, the Alaska Legislature completed extensive renovations on the former Capital School building, located directly behind the State Capitol, to create the Terry Miller Legislative Office Building. Similarly, renovations on the former Scottish Rite Temple were completed in 2010 to create the Thomas B. Stewart Legislative Office Building. Lastly, in 2012 the Alaska Legislature completed renovations on the former Mission Presbyterian Church to create the Legislative Finance Division’s building. The Alaska Legislature’s incremental development of buildings adjacent to the State Capitol satisfied the former need for additional State Legislature office space and facilities. Therefore, the purpose and need for the State of Alaska’s acquisition of the Telephone Hill property has been met.

DOT&PF Interim Management of Telephone Hill

The Telephone Hill property is used for two primary purposes: the street level portion of the property abutting Main Street and Egan Drive is used for public parking and a public transit center; the hilltop portion of the property is used for single-and multi-family residential purposes. Each of those uses is authorized by the State according to lease terms, and each of the leases contains terms that govern the lessee’s rights if the State decides to no longer pursue construction of the Juneau Government Center and dispose of the property.

1) Parking Garage and Transit Facility Lease: In 1984, the State and the CBJ entered into a Cooperative Use Agreement (“CUA”) regarding the State’s acquisition and development of Telephone Hill. Under the terms of that agreement, the CBJ contributed two million dollars towards the State’s property acquisition costs, and the CBJ was allowed to develop the site for off street parking and other public uses.⁷ Under the CUA, if the State did not develop the Juneau Government Center the CBJ retained a right to reimbursement of its initial contribution, plus five percent annual interest, or a right to the portion of Telephone Hill occupied by the CBJ’s public improvements.⁸ In 2008, the State and the CBJ amended the CUA (“Amended CUA”) to stop the accumulation of interest on the CBJ’s contribution to the Telephone Hill acquisition costs; the Amended CUA also authorized a real property lease that allowed the CBJ’s development of parking and transit infrastructure on the Telephone Hill property at their own expense.⁹

⁴ Declaration of Taking, 1JU-84-1164 CI (July 25, 1984), Schedule C at pages 2-3 and 7-8.

⁵ Declaration of Taking, 1JU-84-1164 CI (July 25, 1984), Schedule C at pages 7-8.

⁶ Declaration of Taking, 1JU-84-1164 CI (July 25, 1984), Schedule C at page 9.

⁷ CUA at ¶ 3.

⁸ CUA at ¶ 4.

⁹ Amended CUA at ¶¶ 3 and 4.

The 2008 Parking Garage and Transit Facility Lease (“Parking Lease”) provided the CBJ with sufficient property interest to finance, construct and operate a multi-story parking garage and transit center at Telephone Hill.¹⁰ The Parking Lease also capped the State’s potential debt obligation to the CBJ at \$6.4 million.¹¹ If the CBJ acquires the State’s interest in the leased property, the State’s \$6.4 million debt to the CBJ will be deemed the full and agreed upon consideration for a quitclaim deed.¹² If the State terminates the CBJ’s lease prior to the conclusion of the 30-year term, without transferring the property to the CBJ, the State must repay the \$6.4 million debt less an amortized rate for the CBJ’s use of the property.¹³

2) Residential Property Lease: In 2001, the State entered into a lease with a neighborhood association—the Telephone Hill Neighborhood Non-Profit Management Corporation (“the Lessee”)—that allowed the Lessee to sublease the single- and multi-family residential units located on Telephone Hill to residential tenants.¹⁴ The Lessee rents the hilltop portion of Telephone Hill for a single monthly price and is currently a holdover month-to-month tenant.¹⁵ The Lessee is responsible for all residential property management including non-major repairs (less than \$10,000) and collection of rent from all residential sublessees.¹⁶ If the State decides to sell the leased property to a non-public entity, the Lessee has a right of first refusal to purchase the leased property on the same terms and conditions as the intended sale.¹⁷ However, Paragraph 22 specifically exempts transfers “to the State of Alaska or a political subdivision thereof” from this right of first refusal.¹⁸

Conveyance of Telephone Hill to the CBJ

On May 18, 2022, the Senate adopted Amendment 3 to the Committee Substitute for House Bill (CSHB) 349, which directs DNR to convey to the CBJ all rights, title and interests in the Telephone Hill properties. CSHB 349 passed both houses and was signed into law on June 29, 2022. Amendment 3 of CSHB 349 has an effective date of October 1, 2022.

The Legislature directed DNR to convey the Telephone Hill property to the CBJ, although the State-owned land is currently in the management inventory of DOT&PF. AS 35.20.070 authorizes DOT&PF to transfer to DNR land considered no longer necessary for DNR’s disposal of the excess land. Thus, DOT&PF intends to transfer Telephone Hill to DNR so that DNR may timely comply with the Legislature’s directive.

¹⁰ Parking Lease ¶ 3.

¹¹ Parking Lease ¶ 6(A).

¹² Parking Lease ¶ 6(E).

¹³ Parking Lease ¶ 6(C).

¹⁴ Residential Lease ¶¶ 2 and 5.

¹⁵ Residential Lease ¶¶ 4 and 20.

¹⁶ Residential Lease ¶¶ 5, 7 and 13.

¹⁷ Residential Lease ¶ 22.

¹⁸ Residential Lease ¶ 22.

Decision

The purpose for the State of Alaska's acquisition of Telephone Hill has been satisfied by the State Legislature's incremental development of office space in downtown Juneau. Additionally, there has never been an appropriation of construction funds for the development of legislative office space at Telephone Hill in the 35-years that the State of Alaska retained Telephone Hill for that purpose. Without a doubt, Telephone Hill is no longer necessary for the public facility purpose for which it was originally acquired.

Therefore, I direct DOT&PF Southcoast Region to administratively transfer Telephone Hill to DNR, pursuant to AS 35.20.070 and 13 SLA 22, for DNR's conveyance to CBJ. No easement or other occupancy interests were acquired to support the Telephone Hill property, so there are no interests to be vacated under AS 35.20.070. Southcoast Region shall wind down the Parking Lease and the Residential Lease to assist DNR with the required conveyance of the property to DNR.

Dated: July 28, 2022

 7/28/2022

Ryan Anderson, P.E.
Commissioner



STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES

**NOTICE OF TERMINATION
OF MONTH-TO-MONTH TENANCY**

DATE: July 29, 2022

TO: Telephone Hill Neighborhood Non-Profit Management Corporation
("Tenant Corporation")
Attn: Rachel Beck
214 Dixon St.
Juneau, AK 99801

FROM: State of Alaska, Department of Transportation and Public Facilities ("DOT&PF")
6860 Glacier Highway
PO Box 112506
Juneau, AK 99811-2506

You are hereby notified that pursuant to AS 34.03.290(b) of the Alaska Statutes that the month-to-month tenancy entered into between DOT&PF and Lessee on October 1, 2006 is **terminated effective August 31, 2022**, which is a date at least thirty (30) days after the next periodic rental date of August 1, 2022. The terminated month-to-month tenancy emerged as a holdover tenancy following a previous five-year term lease entered into on October 1, 2001 between DOT&PF and Tenant Corporation and concerns the following residential properties:

- 203 W. 3rd St., Apts. "A" to "E", Juneau, AK 99801;
- 135 W. 2nd St., Juneau, AK 99801;
- 139 W. 2nd St., Juneau, AK 99801;
- 124 Dixon St., Juneau, AK 99801;
- 125 Dixon St., Juneau, AK 99801;
- 128 Dixon St., Juneau, AK 99801;
- 211 Dixon St., Juneau, AK 99801; and
- 214 Dixon St., Juneau, AK 99801.

The Department of Natural Resources ("DNR") has been directed pursuant to 13 SLA 22 (CSHB 349, Amendment 3, signed into law June 29, 2022), to convey to the City and Borough of Juneau ("CBJ") the real property underlying the listed residential properties. As a preliminary matter to the State of Alaska's conveyance of the real property to the CBJ, the DOT&PF must terminate its landlord-tenant relationship with the Tenant Corporation. The Tenant Corporation must immediately notify all subtenants of this termination notice.

The Tenant Corporation may direct to the CBJ any inquiries regarding future rental terms or payment. The CBJ contact person is: Rorie Watt, City Manager, at 907-586-5240 or rorie.watt@juneau.org.

Dated: 29 Jul 2022


D. Lance Mearig, P.E.
Director, DOT&PF Southcoast Region

STATE of ALASKA
DEPARTMENT OF TRANSPORTATION & PUBLIC
FACILITIES
MASTER LEASE FOR RESIDENTIAL PROPERTIES

Between

THE STATE OF ALASKA

And

TELEPHONE HILL NEIGHBORHOOD NON-PROFIT
MANAGEMENT CORPORATION

For

Residential Properties Located On Telephone Hill
Juneau, Alaska

(5)

203 W. 3rd St., Apts A-E

135 W 2nd St.

139 W 2nd St.

124 Dixon St

125 Dixon St

128 Dixon St

211 Dixon St.

214 Dixon

1. **Parties to the Lease:** This lease is between the State of Alaska, Department of Transportation and Public Facilities, whose address is 6860 Glacier Highway, Juneau, Alaska, 99801, at 465-4540, as lessor (hereafter referred to as "State") and Telephone Hill Neighborhood Non-profit Management Corporation (hereafter referred to as Lessee), % Hesson & Deakins, whose address is 601 Willoughby Ave., Juneau, Alaska 99801, and whose registered agents are: Ms. Peggy Pijan, (128 Dixon St., Juneau, AK. 99801), Ms. Rachel Beck, (211 Dixon St., Juneau, AK. 99801), and Ms. Maureen Conerton, (135 W. 2nd St., Juneau, AK. 99801).
2. **Property to be Leased:** The leased property, referred to as "the premises" cover the following residential properties: 203 W. 3rd St., Apts. 'A' to 'E'; 135 W. 2nd St.; 139 W. 2nd St.; 124 Dixon St.; 125 Dixon St.; 128 Dixon St.; 211 Dixon St.; 214 Dixon St., and the land on which they are situated, as depicted on the attached Exhibit A.
3. **Term of the Lease:** The term of this lease shall be 5 years, beginning at 12:00 Noon on October 1, 2001 and ending at the same time on October 1, 2006.
4. **Rental Amount:** The premises shall be leased for Four Thousand Dollars per month, payable on the 10th day of each month. The rental amount shall be reevaluated by the State on or about October 1, 2004 to determine the economic rent for the premises. The rental amount may be adjusted at that time.
5. **Use:** It is intended that the premises be leased to Lessee for the purpose of subleasing to residential tenants.
6. **Expenses:** All expenses shall be paid for by the Lessee. Lessee shall be responsible for providing self addressed stamped envelopes to the State for the purpose of forwarding heating fuel billings to Lessee, which shall be paid by Lessee.
7. **Condition of the Premises:** The Lessee has had an opportunity to inspect the premises and is familiar with its current condition. The Lessee accepts the premises in it's current condition. Lessee agrees to maintain the premises in a habitable and reasonable condition, reasonable wear and tear excepted. The Lessee will ensure that each unit is equipped with a functioning smoke detector.
8. **Utilities:** All electric, garbage, wastewater and water shall be paid for by Lessee.
9. **Insurance:** The premises are self-insured under the Risk Management Program by the State. The Lessee may insure the premises against loss, but will not be entitled to any compensation for loss of occupancy or use of the premises other than a reduction of rent pro rata for the loss of ability to occupy the premises.
10. **Right to Enter and Inspect:** The State shall have the right to inspect the premises, and for any other valid purpose, upon reasonable notice, but in any case with 24 hours notice.

11. **Condemnation:** The Lessee specifically waives rights to compensation if the property is needed for a State Capital Improvements Project, except that the occupants will be entitled to relocation benefits where federal funds are available under the Uniformed Relocation Assistance Act.
12. **Default and Remedies:** If Lessee should default in any of the obligations under this Lease, and if such default shall continue after 30 days written notice of default, the State may terminate this lease by written notice, subject to a reasonable opportunity to cure the default.
13. **Major Repairs:** Major repairs shall be defined as any repair necessary to prevent the failure of the structure or the habitability of the unit or units. All major repairs shall be made at the expense of the Lessee. The State shall maintain a major repair fund of \$10,000.00 that is subject to legislative appropriation. This fund may be made available for major repairs at the discretion of the State. The Lessee may request funds for major repairs in writing. The State will respond within 15 days with a decision regarding the repairs. In the event that the State decides not to provide funds for the repairs, the Lessee shall have the option to remove the effected building, structure, in whole or in part, from the lease, and have the lease payment reduced pro rata. Nothing in this paragraph prevents the parties from negotiating a different rental rate where major repairs improve the rental value of the premises.
14. **Nondiscrimination:** Lessee shall comply with all the applicable Civil Rights and other nondiscrimination laws in subleasing all or any part of the premises.
15. **Default and Remedies:** The parties will have resort to any legal remedies available.
16. **Assignment:** This lease may not be assigned, assumed, mortgaged or otherwise encumbered except with the express written approval of the State. This in no way prevents the Lessee from making subleases as specified in Paragraph 5 above.
17. **Surrender of Possession or Abandonment:** Lessee agrees to surrender the Premises in substantially as good a condition as received, reasonable wear and tear, wars and natural disasters excepted. Lessee further agrees to vacate the Premises and remove or cause to be removed all personal property. All personal property remaining 20 days after surrender or abandonment or dispossession by process of law or otherwise, become the property of the State.
18. **Termination:** Either party may terminate this Lease with 6 months written notice.
19. **Indemnifications:** Lessee shall defend, indemnify and hold harmless the State for any liability it may incur in connection with the Lease.
20. **Holdover:** If the Lessee, with the consent of the State, remains in possession of the Premises after expiration or termination of the Lease term, or after receiving notice of

Lease termination given by the State, such possession by Lessee shall be a month to month tenancy, subject to the term of this lease.

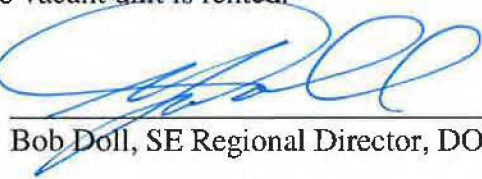
21. **Application of Laws:** The Premises may be used for lawful purposes only. Any unlawful use of the premises shall be cause for default. All applicable federal, State or municipal laws are hereby incorporated as terms of and become a part of this Lease. It is specifically agreed that the Landlord Tenant Act (AS 34.03) shall not apply to this Lease, although such may be applicable to subleases made by the Lessee. The laws of the State of Alaska shall be used in case of any legal dispute. Existing rental agreements remain in effect until terminated with appropriate under required by AS 34.03.
22. **Preference right to purchase:** If the State determines that it is in the best interest of the State to sell the Premises, or the structures to be removed for the property, in whole or in part, the Lessee shall have a first right of refusal to purchase the property to be sold, on the same terms and conditions, in consideration of the improvements made by the Lessee and individual tenants. This Paragraph does not apply to a sale, lease, to the State of Alaska or a political subdivision thereof or a sale in lieu of condemnation, or other development for a public purpose. The Lessee shall also have the right to remove any improvements from the buildings, made by the Lessee or tenants so long as the improvements are not integral to the structural integrity of the building.
23. **Landscape Vegetation:** If the State determines that the structures are to be removed and the property developed for a public purpose, the Lessee will have the right to remove landscape vegetation, so long as the removal does not interfere with the development of the property.
24. **Contamination and Hazardous substances:** All laws pertaining to hazardous and petroleum-based substances shall be observed. Any spill of petroleum or other hazardous substances shall be reported immediately to the Department of Environmental Conservation at 465-5220 or 1-800-478-9300 and to the State at its address and phone listed in Paragraph 1.
25. **Other Areas:** This lease shall also include the area within Lots 1, 2, and 3, Block 1, United States Survey 7 (south facing along W. 1st St.). The Lessee has the option to relinquish this right at any time, so long as it is restored to a condition similar to that at the time of execution of this lease. The City and Borough of Juneau (CBJ) has the option of buying the above lots. If CBJ exercises this option the State will covey the lots to them and this clause becomes shall null and void. Excluded areas are: The Legislative parking lot; and the City parking lot at the end of Dixon St./W. 1st St.
26. **Assignment of existing rental agreements:** By execution of this lease, the State assigns all rights and interest in existing rental agreements to the Lessee.

27. This agreement may be modified, or extended for a term equal to that on the lease, by mutual agreement of the parties.

28. Other Terms and Conditions:

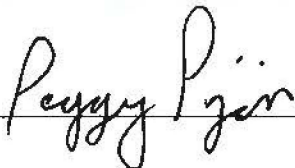
- a. The contact name, address and telephone number of the State is:
Property Manager
6860 Glacier Highway
Juneau, Alaska 99801
907-465-4546
- b. The contact name, address and telephone number of the Lessee is: Ms. Peggy Pijan, (907) 463-3586
Alternates: Ms. Rachel Beck, (907) 586-6293, and Ms. Maureen Conerton, (907) 586-9406.
- c. Any disputes over the terms of the lease will be resolved by arbitration, the arbitrator to be chosen by both parties.
- d. Lessee agrees to maintain reserve accounts sufficient to make repairs and to pay for utilities and other requirements under this lease.
- e. Allowance for Vacancy: In the event of a vacancy, the Lessee shall have the option to have the lease payment due under this lease reduced pro rata, until the vacant unit is rented.

For the State:


Bob Doll, SE Regional Director, DOTPF

11/13/01
Date

For the Lessees:



11-1-01
Date

PEGGY PIJAN (BOARD member)
Printed Name and Title

Attached Corporate resolution authorizing execution of this lease.



5/2/2019





**Alaska Department of
Transportation & Public Facilities**

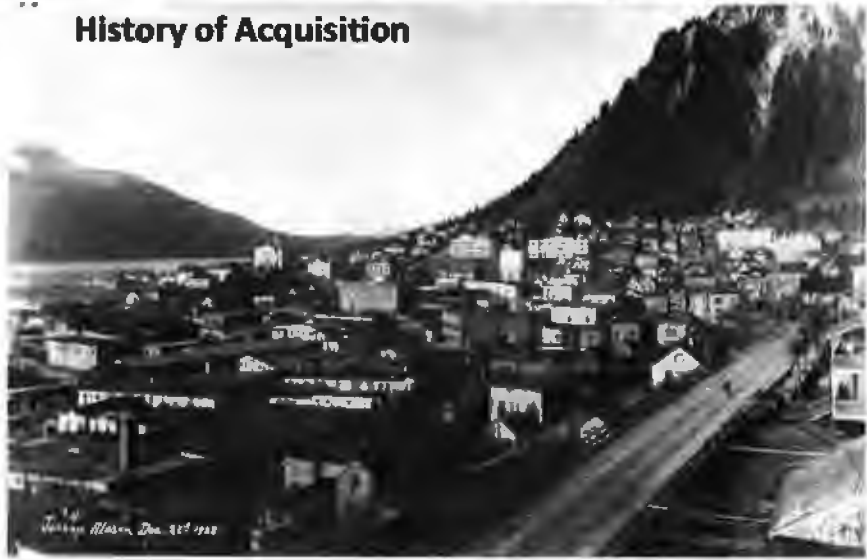
TELEPHONE HILL Property Management

Greg Weinert, SCR Right of Way Chief
Michael K. Schuler, SCR ROW Property Management Officer
Sean Lynch, Assistant Attorney General
May 2, 2019

Our mission is to *Keep Alaska Moving* through service and infrastructure.

TELEPHONE HILL

History of Acquisition



Telephone Hill, Alaska, Dec. 21st 1920

5/2/2019

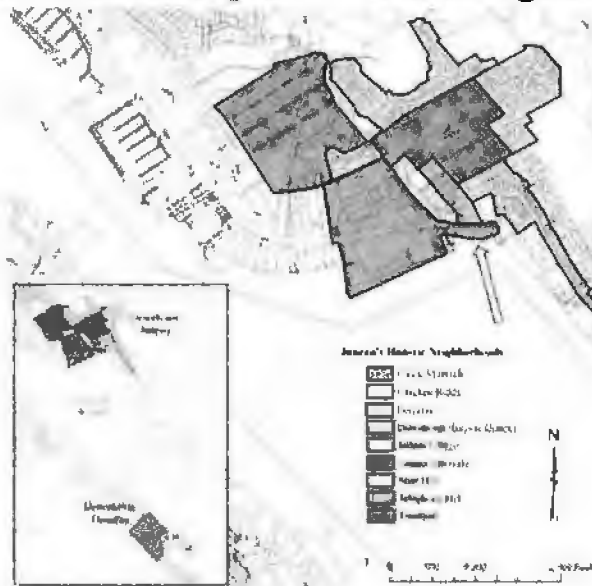
The Historic Telephone Hill Neighborhood

Telephone Hill, located within the original Juneau Townsite, and was one of the first areas claimed by early settlers. With its sweeping view of Gastineau Channel and Douglas Island, the hill has been an attraction throughout the area's history of habitation. This conspicuous promontory is located on the southern portion of the area formerly known by local residents as **Court House Rock**. The neighborhood lies south of Third Street and is bordered by Main Street and Willoughby Avenue. The upper portion, north of Third Street, was once the location of the Government Court House until the late 1960's.



5/2/2019

The Historic Telephone Hill Neighborhood



5/2/2019

- **1881:** US Navy Commander Henry Glass established a site for a military barracks. The land was declared an official government reserve and the site was utilized for a year.
- **1883:** Edward Webster, of the Juneau and Douglas Telephone Company built his home and office on the hill and connected the first telephone lines across the Gastineau Channel to Douglas, prompting the name **Telephone Hill**.



Joseph Edward Webster



5/2/2019

- **1893:** Juneau's first court house was constructed on the northwest end of the hill which prompted that portion to be named **Court House Rock**.
- **1898:** The first court house was destroyed by fire.
- **1904:** Courthouse rebuilt and remained on the site until razed to make room for today's State Office Building.

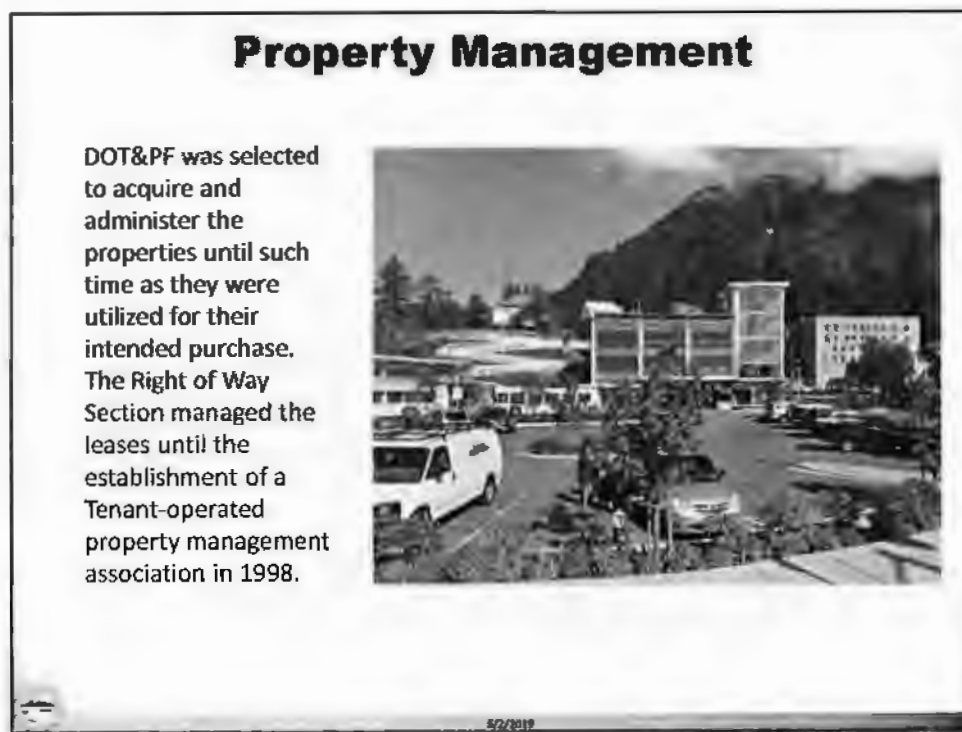
Juneau,
Alaska
Courthouse
and
Municipal
Hall
1910

5/2/2019

- **1971:** The Alaska State Legislature authorizes funds for purchasing properties surrounding Telephone Hill for the purpose of state offices.
- **1975:** Alaska state election voted to move the capital from Juneau to Willow.
- **1977:** Alaskans rejected the budget to move the capital out of Juneau.
- **1983:** The City of Juneau entered into a Cooperative Use Agreement with the State of Alaska to purchase properties on Telephone Hill for the purpose of creating a new capitol building or legislative hall; Juneau's input was \$2 million.
- **1984:** DOT&PF Right of Way acquired seven properties for \$4.6 million; \$2.8 million of which was through condemnation.

5/1/2019





Property Management

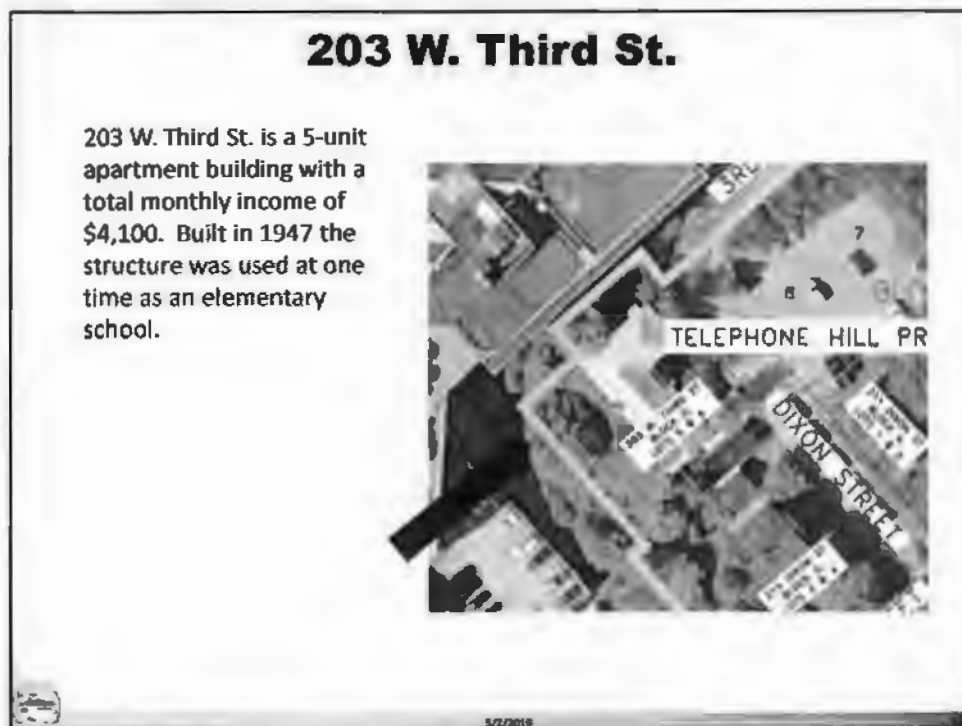
The Telephone Hill Neighborhood Non-Profit Management Corporation was tasked with collecting rents and insuring needed repairs were accomplished. DOT&PF would consider major maintenance repairs on a case-by-case basis up to \$10,000 per unit, per repair request. There is currently \$479,543.78 in the project trust account.



Property Management

In 2006 a new lease agreement was rejected by the Association. The leases were then handled on a month to month basis under the Alaska Uniform Landlord and Tenants Act. Another attempt to reach a mutually beneficial lease agreement was rejected in 2013.

The lease in place was written in 2001. Rents were adjusted in 2011, but do not reflect current economic rents for area leased residential properties. The total rent collected is \$13,350/month or \$160,200 yearly. The state receives \$4,400/month or \$52,800 yearly. The Association retains the remainder for on-going maintenance expenses, and management services.



5/2/2019

203 W. Third St.

The structure is in Average condition for its age, demonstrating deferred maintenance in the mechanical structures and exterior siding. The roof was replaced in 2000. Separating utilities has been determined to be cost prohibitive.



5/2/2019

214 Dixon St.

214 Dixon St. is a 2-story, 3-bedroom, 1.5 bath single-family residence built in 1913. Living space is 1,840 sf, with a 900± unfinished basement. Property has a 200± sq. ft. garage. Originally the rent was \$1,700 a month; in 2011 rent was reduced to \$1,500 due to deferred maintenance.



5/2/2019

214 Dixon St.

The furnace is newer, the interior walls and floors are in average condition; some of the plumbing has been redone. The roof has a bit of moss that should be removed. There is a garage with this unit. The house is in Fair condition for its age.



5/2/2019

211 Dixon St.

211 Dixon St., built in 1917 is a 1,948 sq. ft. single family home. At one point in the past it was converted into three apartments but currently has been restored to single family use. However, DOT&PF ROW Property Management agents have noticed food preparation in all three kitchen areas. Current rent \$1,400.



5/2/2019

211 Dixon St.

The roof leaks and there is some water damaged interior ceiling area. The furnace is older, the plumbing is a mixture of copper & iron pipe, some of the pipes looked to be wrapped in asbestos. There have been drainage issues in the basement in the past which is likely a reoccurring problem. The house is considered to be in Fair condition for its age.



5/2/2019

135/139 W. Second St.

135/139 W. SECOND ST. totaling 3,297 SQ. FT., was built in 1872. The property is divided into two units; the front (135 W. 2nd St.) is supposedly used only for storage.

135 W. 2nd is 705 sq. ft. and has two rooms with $\frac{3}{4}$ bath. Rent is \$600 a month.

139 W. 2nd is 2,592 sq. ft. and has 3 bedrooms and two baths. Rent is \$1500 a month.



5/2/2019

5/2/2019

135/139 W. Second St.

The roof supposedly was newer in 1990 but there is evidence of leaks. The storage renter states he places buckets on the floor to catch the roof leaks.

The exterior is sided in asphalt shingles which are in poor condition. The furnace is an old maintenance intensive unit with what likely are asbestos covered pipes. This residence is in Poor condition for the age.



5/2/2019

128 Dixon St.

128 DIXON ST. is a 1.5-story single family unit with a basement apartment built in 1935. The basement was installed more recently.

The upper unit has 2 bedrooms and 1 bath, about 1,080 sq. ft. The lower unit is in average condition with one bedroom and one bath at about 480 sq. ft. The unit is rented together for \$1600/month.



5/2/2019

5/2/2019

128 Dixon St.

The furnace is older maintenance intensive unit. The plumbing appears to be a mixture of older iron and newer copper.

The basement likely is not equipped with an ingress/egress window and would not now be compliant to municipal code.

The residence is in Fair condition.



5/2/2019

124 Dixon St.

124 DIXON ST. is a 1.5-story single family unit with 3-beds, 1.5-baths, built in 1910. Current rent is \$1400/month.



5/2/2019

124 Dixon St.

This unit has a fairly new, upgraded composition shingle roof surface in good condition. The furnace is a relatively old forced air unit. The below grade area has a finished bedroom as well as an unfinished utility room. It's necessary to walk through the utility room to access this bedroom. The house is in Average condition for the age.



5/2/2019

125 Dixon St.

125 DIXON ST. is a 1-story single family unit with 2-beds, 1.5-baths, of approximately 1,464 sq. ft., built in 1900. Current rent is \$1600/month.



5/2/2019

125 Dixon St.

The furnace is an old boiler type. Roof is older and need to be replaced. Plumbing is a mixture of older and newer. The house is in Average condition for the age.



5/2/2019

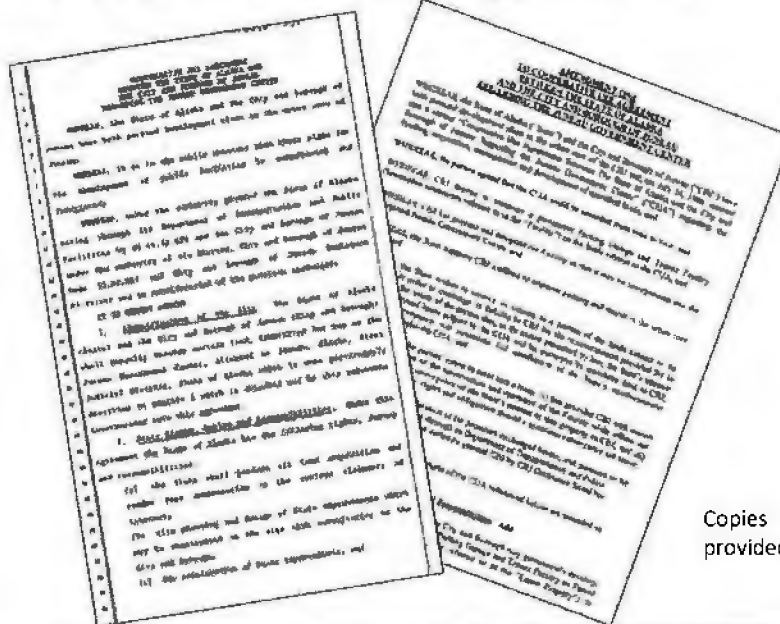
TELEPHONE HILL

Legal Questions to Use or Disposition



5/2/2019

Cooperative Use Agreement



Copies
provided

Obligations to CBJ

The initial funding from CBJ in 1984 was \$2,000,000. Per the Agreement (Para. 4), the CBJ is entitled to reimbursement of the funding, plus 5% simple interest, if the State's Government Center is not developed within 10 years. Under the 2008 Amendment (Para. 4), interest stopped accruing and the State's repayment obligation was capped in 2008 at \$6,400,000. The State's reimbursement obligation will be satisfied upon conveyance of the State's quitclaim for the Parking Garage/Lot portion of Telephone Hill.

Alaska Statute 35.20.070

The department may vacate land, or part of it, or rights in land acquired for public work purposes by executing and recording a deed in the appropriate recording district. Upon vacating, title reverts to the persons, heirs, successors, or assigns in whom it was vested at the time of the taking. The department may transfer land considered no longer necessary for public works purposes to the Department of Natural Resources for disposal. The proceeds of disposal by the Department of Natural Resources shall be credited to the funds from which the purchase was originally made.

TELEPHONE HILL



Presented by: The Manager
Presented: 07/11/2022
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-30

An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Catholic Community Services Property Located near 1800 Glacier Highway, from D-10 to Light Commercial.

WHEREAS, the 2.6 acre area of the proposed rezone to Light Commercial zoning, is currently zoned as D-10; and

WHEREAS, the CBJ Comprehensive Plan maps this area for Medium Density Residential; and

WHEREAS, the proposed rezone substantially conforms to the Medium Density Residential designation; and

WHEREAS, the proposed rezone has been determined compatible with nearby D-5 and D-10 lots; and

WHEREAS, the proposed rezone provides for Medium Density Residential, and commercial uses that are compatible with residential uses.

NOW, THEREFORE, 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 the following property

Beginning at corner number 1, U.S.S. 667, thence east 217.73 feet to a point intersecting the west boundary of the Glacier Highway right-of-way, thence northwest along said right-of-way 559.82 feet to an unmonumented point along the Glacier Highway right-of-way, thence west 115.53 feet to the monumented northeast corner of A.T.S. 389, thence southeast at a bearing of S 12° 34' E 236.12 feet to a monumented corner of U.S.S. 667 Fraction, thence southeast at a bearing of S 45° 40' E 308.88 to the point of beginning.

all located near 1801, 1803 and 1805 Glacier Highway, Juneau, Alaska, and depicted in Exhibit A from D-10 to Light Commercial (LC).

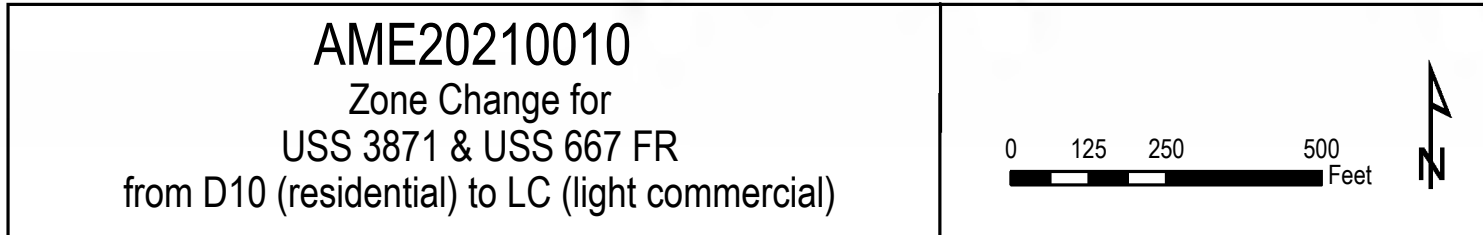
Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk





Planning Commission

(907) 586-0715

PC_Comments@juneau.org

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

155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION NOTICE OF RECOMMENDATION

Date: April 20, 2022
Case No.: AME2021 0010

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 rezone for 2.6 acres from D10 to Light Commercial.

Property Address: 1801, 1803 and 1805 Glacier Highway

Legal Description: USS 3871 & USS 667 FR

Parcel Code Number: 7B0801030060

Hearing Date: April 12, 2022

The Planning Commission, at its regular public meeting, adopted the analysis and findings, as amended, listed in the attached memorandum dated April 5, 2022, and recommended that the City and Borough Assembly rezone 2.6 acres from D10 to Light Commercial (LC), with modifications to Finding #5.

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 NC LC zoning is consistent with the Medium Density Residential Land Use designation proposed in the 2013 Comprehensive Plan in that the emphasis is on densities of 15 units per acre, and neighborhood scale commercial use. Assembly decisions on AME2021 0001 and AME2013 0006 have found LC to comply.

City and Borough Assembly
Case No.: AME2021 0010
April 20, 2022
Page 2 of 2

Attachments: April 5, 2022 memorandum from Irene Gallion, Community Development, to the CBJ Planning Commission regarding AME2021 0010.

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

April 21, 2022

Date



Filed With City Clerk

April 21, 2022

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 0010
HEARING DATE: APRIL 12, 2022

(907) 586-0715

CDD_Admin@juneau.org

www.juneau.org/community-development

155 S. Seward Street • Juneau, AK 99801

DATE: April 5, 2022
TO: Michael LeVine, Chair, Planning Commission
BY: Irene Gallion, Senior Planner
THROUGH: Jill Maclean, AICP, Director

PROPOSAL: Applicant requests a rezone for 2.6 acres from D10 to Neighborhood Commercial (NC) or Light Commercial (LC).

STAFF RECOMMENDATION: Staff recommends the Planning Commission forward a recommendation of APPROVAL to the Assembly from D10 to NC.

KEY CONSIDERATIONS FOR REVIEW:

- Neighborhood Commercial is preferred, Light Commercial is a second choice.
- Neighborhood Commercial densities of 15 units/acre conforms to Comprehensive Plan Land Use Map designation of Medium Density Residential of 5-20 units/acre.
- Neighborhood Commercial supports commercial use consistent with residential uses.

GENERAL INFORMATION	
Property Owner	Catholic Community Service
Applicant	Edward Rivera
Property Address	1801/1803/1805 Glacier Highway
Legal Description	USS 3871 & USS 667 FR
Parcel Number	7B0801030060
Zoning	D10
Land Use Designation	Medium Density Residential (Map K)
Lot Size	113,256 square feet, 2.6 acres
Water/Sewer	Yes
Access	Glacier Highway
Existing Land Use	Social services, offices, and facilities
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-legislative 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.

Fostering excellence in development for this generation and the next.

SITE FEATURES AND ZONING



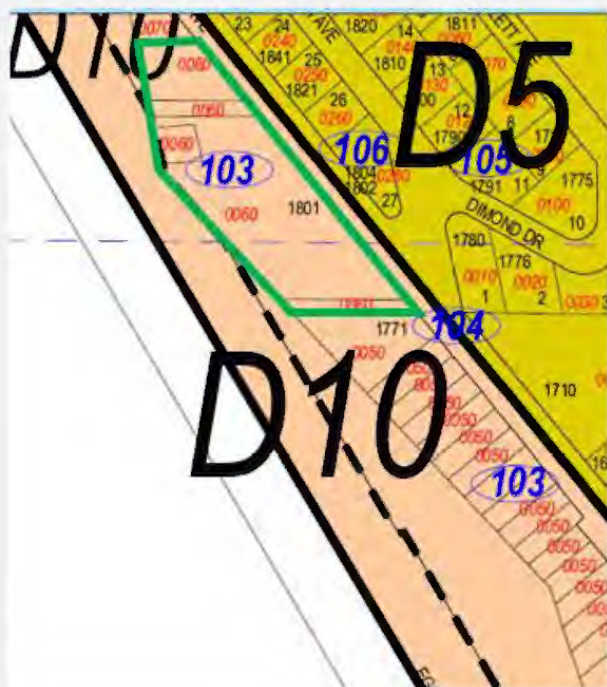
SURROUNDING ZONING AND LAND USES

North (D10)	Vacant
South (D10)	Vacant
East (Glacier Hwy)	Residential (D5)
West (Egan Drive)	Egan Expressway

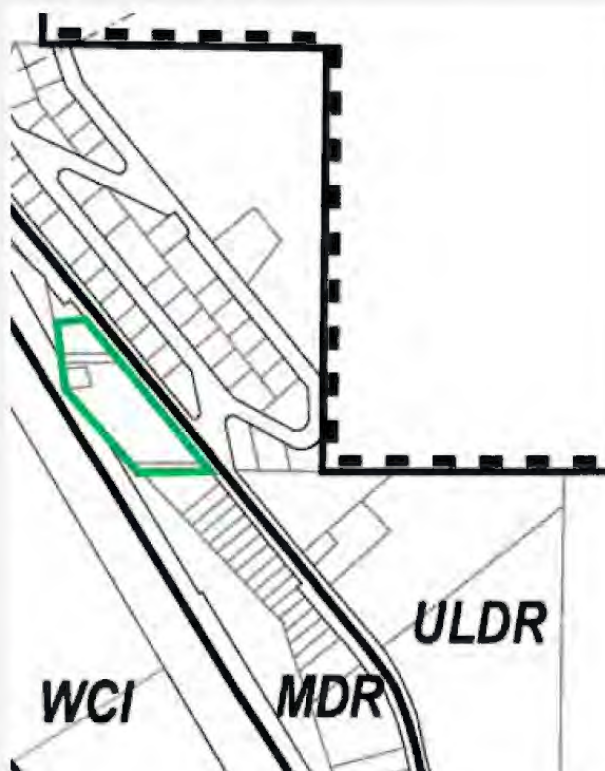
SITE FEATURES

Anadromous	No
Flood Zone	AE, 23 feet
Hazard	None mapped
Hillside	Yes
Wetlands	Yes
Parking District	No
Historic District	No
Overlay Districts	No

CURRENT ZONING MAP



LAND USE DESIGNATION MAP



BACKGROUND INFORMATION

Project Description – Catholic Community Services (CCS) seeks to rezone the site from D10 to a zoning that accommodates more office development. The applicant prefers rezoning to Neighborhood Commercial (NC), but could find Light Commercial (LC) acceptable (**Attachments A, B, C, and D**).

The applicant originally applied for LC. Meanwhile, AME2021 0001 (North Douglas Highway) had experienced delays during the approval process due to discussions regarding rezoning Medium Density Residential (MDR) to commercial use. Staff and the applicant paused pursuit of the CCS property rezone to assess implications of the North Douglas Highway rezone discussions. During the pause, the NC zoning was developed. NC better fits the intent of the applicant, while supporting residential opportunity. When NC was approved by the Assembly on February 7, 2022, staff and the applicant planned a public meeting for after the effective date of the ordinance, 30 days later.

This is the first proposal to use NC zoning since it was established on March 7, 2022. MuniCode has been updated (https://library.municode.com/ak/juneau/codes/code_of_ordinances?nodeId=PTIICOOR_TIT49LAUS).

LC has been found to comply with the Comprehensive Plan land use designation of MDR in Assembly decisions on AME2021 0001 (North Douglas Highway) and AME2013 0006 (Atlin Drive).

Background – Assessor documents estimate structures on the site were constructed in the 1940s.

The site has accommodated residential uses in the past. 1801 Glacier Highway included residential apartments. 1803 Glacier Highway included residential apartments with the Bridge Adult Day Center.

As client needs have evolved, so has CCS. Currently, the apartments at 1803 Glacier Hwy have been remodeled to offices for services and programs. 1805 Glacier Highway houses operations and dispatch for Capital AKcess.

CCS no longer provides residential services, and would like to remodel 1801 and 1803 Glacier Highway for additional office and program space. They currently rent space in St. Anne's Center downtown, and would like to be able to consolidate their operations.



Permit and Site History – The below table summarizes relevant history for the lot and proposed development.

Item	Summary
BLD2013 0503	Change of use from apartments to day care, office space, and 3-bedroom respite apartments.
USE2013 0030	Day care center for children with behavioral health issues in grades pre-K through 5 th .
BLD2005-00054	Main floor change of use with office addition, and sprinkler for entire structure.
BLD2005-00043	Remodel ground floor of north structure into three apartments.
BLD2004-00767	Remodel existing garage space into office space for Care-a-Van Transit center.
USE2004-00020	Transit center for Care-a-Van offices.
BLD2000-00423	Major interior renovation, from day care center into bed and breakfast.
Hazard District Modification	2000, removal from the moderate hazard zone.
BLD1997-00489	Grading permit for approximately 3,000 cubic yards of fill to construct storm drain.
BLD-0306001	1988, Remodel for use as daycare.
BLD-0016801	1986, Approximately 700 cubic yards of fill.
1997 Storm Drain Easement	To CBJ to maintain a 30-inch storm outfall pipe and rock lined drainage ditch.
CU-15-88	Conditional Use Permit for daycare for up to 75 children.
1987 As-built	Representative of current conditions.

Zoning History – The below table summarizes zoning history for the lot.

Year	Zoning	Summary
2006	D10	New zoning map, same zoning.
1987	D10	The D10 residential district is intended to accommodate primarily multi-family residential development at ten units per acre. These are relatively low-density multi-family districts.
1969	CWR	This district was primarily for waterfront apartments and service-commercial uses oriented to the marine element of the community and was designed to be located in close proximity to residential districts. This district recognized the community's increasing interest in water-related activities and was designated on zoning maps as further need developed.

ZONING ANALYSIS

CBJ29.25.200 Zoning Districts Defined – Note that the intent of both CWR (original zoning, see above) and NC (preferred proposed zoning) is for commercial uses that complement residential uses.

Current Zoning – D10	Proposed Zoning – NC	Alternative – LC
The D10 residential district is intended to accommodate primarily multi-family residential development at ten units per acre. These are relatively low-density multi-family districts. [CBJ 49.25.210(e)]	The NC, or Neighborhood Commercial, zoning district is a new district (February 7, 2022) intended to encourage the development of lively, mixed-use neighborhoods that are compact and walkable. Greater emphasis is placed upon medium density residential as the primary use with neighborhood-scale commercial activity that is less intensive than that permitted in the light commercial, general commercial and mixed use zoning districts. Neighborhood Commercial zoning districts are primarily used as a buffer between commercial and mixed use zoning districts and single-family and lower density multi-family residential zoning districts. [CBJ 49.25.230(c)]	The LC, or Light Commercial, zoning 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. [CBJ 49.25.230(a)]

CBJ 49.25.300 Table of Permissible Uses Comparison – CCS has used the property as housing and office space, with ratios varying in response to community need.

Use No.	Use Description	D10 Approval Level	NC Approval Level	LC Approval Level
1.300	Multi-family housing ≤ 8 units	Director	Director	Director
1.300	8 units < multi-family housing ≤ 12 units	Commission	Director	Director
1.300	12 units < Multi-family housing	Commission	Commission	Commission
3.050	Offices ≤ 1,000 square feet	Commission	Director	Director
3.100	1,000 sf < Offices ≤ 2,500 square feet	Commission	Director	Director
3.400	2,500 < Offices < 10,00 square feet ^A	Not permissible	Director	Director
3.400	10,000 sf ≤ Offices ^A	Not permissible	Commission	Commission

A: While the Table of Permissible Uses describes a use of offices over 2,500 square feet, the approval level is dependent on the definition of major development versus minor development for the zoning district. The definition of major versus minor development varies between residential and commercial districts [CBJ 49.25.300(c)(3)(C) and (D)]. For the uses above, the Director makes the approval decision for minor development, and the Commission for major development. Note that Director decisions are delivered through the building permit process.

The site appears to be nonconforming for use (a Nonconforming Situation Review is not required for a rezone). A rezone to either NC or LC would bring the site into conformity for use.

CBJ 49.25.400 Dimensional Standards – The site is made up of five lots. However, the analysis below considers the five lots as one site.

The height restriction in NC is preferable to LC because of consistency with current zoning under D10 and the surrounding residential uses.

Standard		Existing Parcel	D10	NC	LC
Minimum Lot	Size	113,256	6,000	3,000	2,000
	Width	620	50	40	20
Setbacks	Front, min	8.19 ^A	20	0	25
	Front, max	8.19 ^A	N/A	15	N/A
	Rear, min	53.6	20	0	10
	Side	50.88	5'	0	10
Maximum Lot Coverage		6%	50%	None	None
Maximum Height	Permissible	~ 35	35	35	45
	Accessory		25	25	35

A: Garage, per 1987 as-built survey (**Attachment E**).

The site is nonconforming for front setback. Regardless of ownership, further development would require each lot to meet setback standards under current code. Discussed below is how this situation developed, considerations in future development, and impacts to conformity.



History: The first documents available for lots B and E indicate retention as private access to Egan Expressway from the uphill lots. Lots B and E are described in transfer documents from 1975 and 1976, which is when Egan Expressway was platted. Lots B and E are 20 feet wide. This would result in no buildable width in LC, and 10 feet of buildable width in D10.

An existing structure (1805 Glacier Highway, which houses Capital AKcess) crosses the lot line between Lots B and D.

The history of Lot C is unknown, but seems to have been transferred after platting of Egan Expressway.

Future Development: CCS has expressed interest in remodeling 1801 Glacier Highway.

- Lot consolidation is not required for internal remodel. A Nonconforming Certification would be required as part of the development.
- Lot consolidation is required for any exterior construction or modification on a structure that crosses a lot line. 1801 Glacier Highway does not cross a lot line.

Conformity: Consolidation of Lots B, C, and D would bring the new lot into conformity with the setback requirements of NC. D10 and LC do not provide a path to setback conformity unless the Capital AKcess structure (1805 Glacier Highway) is demolished.

CBJ 49.25.500 Density – The site is 2.6 acres. There are no existing residences.

	Current Zoning (10 DU/Acre)	NC (15 DU/Acre)	LC 30 DU/Acre)
Maximum Number of Dwelling Units	26	39	78

Potential for Subdivision – Subsequent subdivisions could be considered if proposed lots met dimensional standards. Development patterns, including structures and off-street parking, have used the flatter areas. Undeveloped areas have slopes of approximately 30 percent.

TRAFFIC AND TRANSPORTATION

Level of Service information for Glacier Highway is unavailable.

Access	Roadway Classification	Current AADT*
Glacier Highway	Arterial	1,010

**2020 Average Annual Daily Traffic Counts, provided by Alaska Department of Transportation and Public Facilities.*

Eventual traffic impacts would be analyzed when developed in the future.

For context, under current zoning the property could support 26 residences, as single-family or multi-family structures. The Institute of Traffic Engineers' (ITE) Trip Generation Manual (6th edition) estimates approximately 10 average annual daily traffic (AADT) per single-family unit, or 260. Single-family units have the highest AADT of the residential types.

Under NC or LC, the property could support 10,000 square feet of office space without a Conditional Use Permit. ITE estimates 11 AADT per 1,000 square feet of general office space, or 110 AADT. Expansion beyond 10,000 square feet of office space would require a Conditional Use Permit, and may trigger a traffic impact analysis.

Non-motorized transportation – Glacier Highway is the sole corridor for cyclists travelling between downtown and locations north of Juneau Douglas High School (**Attachment F**). Use of Egan Expressway is for highway-legal vehicles only due to safety concerns.

Proximity to Public Transportation – Capital City Transit stops for both inbound and outbound transit users approximately 975 feet to the east and 400 feet to the west of the driveway for the site. See yellow ovals in the figure below.



COMMUNITY SERVICES

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

Service	Summary
Water/Sewer	CBJ
Fire Service	Juneau Fire Station (800 Glacier Avenue)
Schools	Juneau Douglas High School, Yaakoosge Daakahidi Alternative High School, Harborview Elementary, Montessori Borealis

ENVIRONMENTAL, CONSERVATION, HISTORIC, AND ARCHEOLOGICAL RESOURCES

The table below summarizes Conservation, Historic, and Archeological Resources which may be affected by the proposed rezone.

Resource	Summary
Conservation	Closest Comprehensive Plan-designated stream corridor is across the channel (Map K)
Wetlands	None mapped. Wetlands on lot next to Egan Expressway.
Anadromous	No.
Historic	The structures are over 50 years old.
Archeological	Unknown.

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.*

2013 COMPREHENSIVE PLAN -			
Chapter	Page No.	Item	Summary
10	140	Policy 10.13	Encourage mixed use development (SOP 1). Utilize appropriate zoning standards (SOP 2). Rezone for mixed use (IA1).
11	147	Map K	Medium Density Residential: Urban residential lands accommodating multi-family structures with densities from 5-20 units per acre. Commercial development must be consistent with residential uses.

Other plans are mute to the value of rezoning.

The Juneau Economic Development Plan (2015) recognizes the importance of the “Senior Economy” and establishing support services to keep seniors in Juneau (page 54). Future CCS plans for the property and services provided would support this plan element.

CCS services are integral to Juneau's Coordinated Entry protocols for housing people experiencing homelessness. Supportive services are critical to keeping vulnerable populations housed once housing is found.

AGENCY REVIEW

CDD conducted an initial agency review comment period between September 1, 2021 and September 13, 2021. A notification was sent to commenters on March 23, 2022 to advise them that the proposed zoning was changing from LC to NC, and asking for any additional comments. Agency review comments can be found in **Attachment G**.

Agency	Summary
CDD Building Division	No issues at this time.
Alaska Department of Transportation and Public Facilities	When uses change, please contact ADOT&PF to confirm compliant access onto Glacier Highway.
CBJ Capital City Fire and Rescue	No code or department concerns.
CBJ Engineering and Public Works	General Engineering has no concerns.

PUBLIC COMMENTS

A public meeting was hosted on March 10, 2022 (**Attachment H**). No public attended.

CDD conducted a public comment period between March 11, 2022 and April 4, 2022. Public notice was mailed to property owners within 500 feet of the proposed rezone (**Attachment I**). A public notice sign was also posted on site two weeks prior to the scheduled hearing (**Attachment J**). Public comments submitted at the time of writing this staff report can be found in **Attachment K**.

Name	Summary
Paul Khera	Questions about taxation.

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, and streams (CBJ 49.25.110(f)).

Staffs analysis above includes the LC zoning district as an alternative to the applicant's preferred zoning of NC.

FINDINGS

In accordance with CBJ 49.75, the Director makes the following findings on the proposed rezone:

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 July of 2021.

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

Analysis: CDD staff held a public meeting on March 10, 2022; mailed written notice to property owners within 500 feet of the proposed rezone; and 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 is proposed for 2.6 acres.

Finding: **Yes.** The proposed rezone meets the minimum area.

4. *Has a similar request been made within the previous 12 months as required by CBJ 49.75.120?*

Analysis: No additional analysis required.

Finding: **No.** No similar rezone request has been filed within the previous 12 months.

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 NC zoning is consistent with the MDR Land Use designation proposed in the 2013 Comprehensive Plan in that the emphasis is on densities of 15 units per acre, and neighborhood scale commercial use.

Finding: **Yes.** The proposed rezone is 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: The proposed rezone supports the purpose of Title 49 by rezoning for mixed use that conforms to density standards established in the 2013 Comprehensive Plan.

Finding: **Yes.** The proposed rezone is 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 the requested rezone for 2.6 acres from D10 to Neighborhood Commercial (NC).

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Ordinance 2014-14(c)am
Attachment C	Proposed Rezone Ordinance (Pending)
Attachment D	Map of Rezone Area (Pending)
Attachment E	As-built 1987
Attachment F	Bike Routes
Attachment G	Agency Comments
Attachment H	Neighborhood Meeting notice
Attachment I	Abutters Notice
Attachment J	Public Notice Sign (Pending)
Attachment K	Public Comments



DEVELOPMENT PERMIT APPLICATION

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

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address 1801/1803/1805 Glacier Highway Juneau Alaska 99801		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) USS3871 SS ; USS667 FR		
	Parcel Number(s) 7B0801030060		
	☐ This property located in the downtown historic district ☐ This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner Catholic Community Service	Contact Person Edward Rivera	Phone Number(s) 907-465-6153
	Mailing Address 1803 Glacier Highway Juneau AK 99801		907-465-6153
	E-mail Address edward.rivera@ccsjuneau.org		
	LANDOWNER/ LESSEE CONSENT Required for Planning Permits, not needed on Building/ Engineering Permits		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X <u><i>Jennifer Carson</i></u> <u>7/27/2021</u> Landowner/Lessee Signature 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 Edward Rivera	Contact Person Edward Rivera	Phone Number(s) 907-465-6153	
Mailing Address 1803 Glacier Highway Juneau AK 99801		907-465-6153	
E-mail Address edward.rivera@ccsjuneau.org			
X <u><i>Ed Rivera</i></u> <u>July 18, 2021</u> Applicant's Signature Date of Application			

DEPARTMENT USE ONLY BELOW THIS LINE

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Intake Initials ANE
Case Number AME21-10 Date Received 7/27/21



ZONE CHANGE APPLICATION

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

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

To be completed by Applicant	PROJECT SUMMARY Change existing D10 zone to Light Commercial (LC)	
	IS THIS AN EXPANSION OF AN EXISTING ZONE? ☐ Yes ☒ No	
	Total Land Area of Proposed Change <u>2.8</u> acres	Comprehensive Plan Land Use Designation <u>MDR</u>
	Current Zone(s) <u>D 10</u>	Comprehensive Plan Map Letter <u>K</u>
	New Zone Requested <u>Light Commercial LC</u>	
	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>100</u> ⁰⁰			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ <u>50</u> ⁰⁰			
Pub. Not. Sign Deposit	\$ <u>100</u> ⁰⁰			
Total Fee	\$ <u>750</u> ⁰⁰			

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 <u>AME21-10</u>	Date Received <u>7/27/21</u>
--------------------------------	---------------------------------

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



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

Glacier Highway rezone

Case Number: PAC2021 0024

Applicant: Edward Rivera

Property Owner: Catholic Community Services

Property Address: 1801, 103, and 1805 Glacier Highway; one PCN, 7B0801030060

Parcel Code Number: one PCN for all three addresses: 7B0801030060

Site Size: 2.6 acres

Zoning: D-10

Existing Land Use: Social Services

Conference Date:	April 7, 2021
Report issued:	April 16 2021

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
Edward Rivera	Applicant	Edward.rivera@ccsjuneau.org
Teri Camery	Planning	teri.camery@juneau.org
Kyle Paw	Permit tech	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** – D-10, proposed for LC
2. **Setbacks** – D-10 setbacks are 20' front, 20' rear, 5' side; LC setbacks are 25' front, 10' rear, 5' side
3. **Height** – D-10 maximum height is 25' feet for both permissible and conditional uses; proposed LC maximum height is 45' for permissible uses and 25' for accessory uses
4. **Access** – Glacier Highway
5. **Minimum Lot Size** – 6,000 square feet for D-10; 2,000 square feet for LC
6. **Minimum Lot width and minimum lot depth** – 85' min lot depth and 50' min lot width for D-10; 80' min lot depth and 20' min lot width for LC
7. **Maximum Lot Coverage** – 50 percent for D-10; no maximum lot coverage for LC
8. **Minimum vegetative Coverage** – 30 percent for D-10, 15 percent for LC
9. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – The proposed rezone area is within a moderate landslide/avalanche area.
10. **Wetlands** – No mapped wetlands exist on this lot.
11. **Habitat** — 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.
12. **Flood** – Portions of the parcel are within the AE flood zone, with a base flood elevation of 25 feet. Any new structures proposed within this zone will need to comply with applicable CBJ Land Use Code flood regulations in 49.70 Article IV, and a Floodplain Development Permit will be required.
13. **Nonconforming situations** – The CBJ GIS map indicates that the parcel includes at least three legal lots. Some of these lots do not meet appear to meet minimum lot size, minimum lot width, and/or minimum lot depth requirements for the current D-10 zoning district. CDD recommends a lot consolidation as the easiest method to bring these lots into conformance. In the absence of a lot consolidation, a Non-Conforming Certificate must be applied for and issued prior to issuance of a building permit. This applies to the property in its current status.

If LC zoning is approved, it appears—but would need to be verified by a licensed surveyor—that the lots would meet the smaller minimum lot size of LC which is 2,000 square feet. However the lots still may not meet the minimum lot width and lot depth requirements for the LC zoning district, as listed in Item 6 above. Lot consolidation would again be the easiest method to resolve the issue. In the absence of a lot consolidation, a Non-Conforming Certificate must be applied for and issued prior to issuance of a building permit.

Proposal

The applicant proposes to rezone the 2.6 acre parcel from D10 residential zoning to Light Commercial zoning. CBJ Code 49.75 Article 1, included below, describes the rezone process. Code dictates that *"A rezoning shall only be*

Pre-Application Conference Final Report

approved upon a finding that the proposed zone district and the used allowed therein are in substantial conformance with the land use maps of the comprehensive plan." The 2013 Juneau Comprehensive Plan land use map future land use designation designates this area as MDR, Medium Density Residential. The Comprehensive Plan definition of Medium Density Residential allows for commercial development "at a scale consistent with a residential neighborhood." This indicates that the Light Commercial has the potential to "substantially conform" with the Comprehensive Plan designation. Community Development Department review of the rezone application will include a review of the uses and requirements of the existing and proposed zoning districts, a review of the Comprehensive Plan designation, and a review of the surrounding neighborhood.

The parcel is adjacent to D-5 residential zoning, so it is not an expansion of an existing zone. However the parcel is over the two acre minimum requirement for rezones, therefore the proposal meets the minimum requirement to be accepted. CDD is working on a subarea plan for downtown Juneau, Blueprint Downtown (BPDT). BPDT may make recommendations to change land use designations and zoning. It may be prudent to wait and see what BPDT recommends in this area before requesting a rezone. For questions regarding BPDT, please contact Beth McKibben, Senior Planner, at 586-0465.

Rezone applications may only be accepted during the months of January and July. Applications require a recommendation from the CBJ Planning Commission and a final decision by the CBJ Assembly. The full process typically takes 3-6 months.

Rezone process/criteria: CBJ 49.75 Article I, Rezoning.

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.

CBJ 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. Rezone requests which are substantially the same as a rezoning request rejected within the previous twelve months shall not be considered. A rezoning shall only be approved upon a finding that the proposed zone district and the used allowed therein are in substantial conformance with the land use maps of the comprehensive plan.

Link for Blueprint Downtown and 2013 Juneau Comprehensive Plan
[CDD - Plan and Studies - City and Borough of Juneau](#)

Building Division

14. Building

15. Outstanding Permits –

- a. BLD20140036 – Boiler replacement for 1803 Glacier Hwy
- b. BLD-0349001 – Disconnect switch box and change inside box new breaker system
- c. BLD-0401101 – New roof over flat room, new rafter & sheeting @ bed & Breakfast

Pre-Application Conference Final Report

- d. BLD1998-00345 – Change out windows; paint exterior on southernmost building
- e. BLD20130503 – Change of use from apartments to daycare, office space, and 3 bedroom respite apartments at 1801 Glacier Hwy.

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.

- 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. A map of the parcel, and a Project Narrative including the purpose of the rezone, why the existing zoning designation of D-10 is inadequate, an explanation of how the requested zone change substantially complies with the maps and policies of the 2013 Juneau Comprehensive Plan, and how the proposed zone change is compatible with the existing neighborhood.

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. N/A

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. Zone change and comprehensive plan amendments - \$600.00
- 2. Public Notice Sign: \$50 plus \$100 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

Pre-Application Conference Final Report

Fax: (907) 586-4529
Web: www.iunEAU.org/cdd



Catholic Community Service, Inc.

Dignity • Care • Compassion

Diocese of
Juneau

Southeast Senior Services • Children & Family Services • Hospice & Home Care of Juneau

July 15, 2021

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

To whom it may concern,

Catholic Community Service (CCS) would like to rezone our properties of 1801/1803/1805 Glacier Highway Juneau Alaska 99801 from residential D-10 to Light Commercial. Previously, the property of 1801 was a residential building that included several apartments that were rented by CCS to tenants. In the past, 1803 was also a residential building with some apartments in addition to TheBridge Adult Day Center. The apartments have now been converted into offices for several CCS employees and programs. The property of 1805 is currently the base of operations and dispatch office for the Capital Access program that is provided by Capital Transit and operated by CCS.

Since we no longer have any residential apartments or tenants in any of the buildings, we would like to rezone and be able to rehabilitate buildings 1801 and 1803 in order to create additional offices and program space. We currently rent several offices and office space at the St Ann's Building in downtown Juneau, and we would like to be able to stop renting space at that location in order to locate all of our employees and programs on the same property.

The rezoning of our property is compatible with the existing neighborhood, since nothing new will be built on the property, and we are solely planning to renovate the buildings and turn the existing apartments into offices/program space for our employees. Our closest neighbor at the location is Design North Roofing, which is a small local business, so we do not anticipate that renovations or improvements will disturb any private residents and is compatible with the growth of the existing neighborhood.

Thank you for taking the time and reviewing our application. If you have any questions or need anything else, please don't hesitate to call me at 907-465-6153 or through email at edward.rivera@ccsjuneau.org.

Sincerely,

Edward Rivera
Fleet and Facilities Specialist
Catholic Community Service/Southeast Senior Services



CATHOLIC COMMUNITY SERVICE



Memorandum

To: Board of Directors
Senior Staff

From: Erin Walker-Tolles
Executive Director

Date: July 27, 2021

RE: Delegation of Authority

I am working remotely and variable hours through August 4.

I am appointing Jennifer Carson as Acting Executive Director in my absence.

Jennifer has full authority to take action on personnel, legal, and programmatic business, as well as take action on financial business, as needed for daily operations for Catholic Community Service as Acting Executive Director in my absence.

Please feel free to contact her in my absence, or for immediate assistance call 463-6100

Thanks so much,

A handwritten signature in blue ink, which appears to read "Erin Walker-Tolles", is written over the typed name.

Erin

Cc: Anneka Morgan
Susan Loseby

Presented by: The Manager
Introduced: 05/19/2014
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2014-14(c)am

An Ordinance Amending the Land Use Code Relating to Rezoning Procedures.

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 Section. CBJ 49.75.130 Procedure, is amended to read:

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 10 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

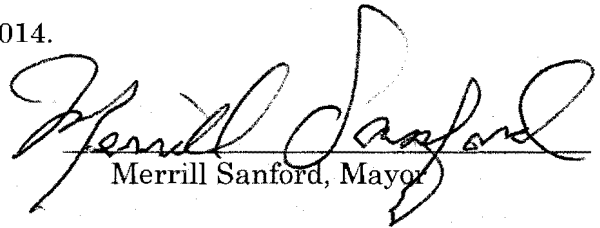
with the municipal clerk within 20 days of the commission's written notice of recommendation.

- (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. If approved with modifications, the ordinance shall become effective only with the written consent of the owner(s) of the property to be rezoned.

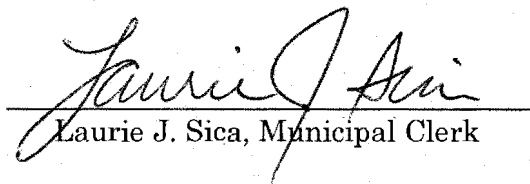
(c) All rezonings shall be adopted by ordinance, and any conditions thereon shall be contained in the ordinance. Upon adoption of any such ordinance, the director shall cause the official zoning map to be amended in accordance with the adopted ordinance.

Section 3. Effective Date. This ordinance shall be effective 30 days after current, outstanding appeals are resolved.

Adopted this 29th day of September, 2014.


Merrill Sanford, Mayor

Attest:


Laurie J. Sica, Municipal Clerk

Presented by:
Introduced:
Drafted by: I. M. Gallion DRAFT 1

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2018-XX

An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Catholic Community Services Property: USS 3871, USS 667 FR and private right-of-way lots; Located at 1801, 1803 and 1805 Glacier Highway, from D10 to Neighborhood Commercial zoning (NC).

WHEREAS, the area of the proposed rezone to Neighborhood Commercial zoning, located near Wickersham Avenue, is currently zoned as D10; and

WHEREAS, the CBJ Comprehensive Plan maps this area for Medium Density Residential, and

WHEREAS, the proposed rezone conforms to the Medium Density Residential designation, and

WHEREAS, the proposed rezone has been determined compatible with nearby D5 and D10 lots, and

WHEREAS, the proposed rezone provides for medium density residential, and commercial uses that are compatible with residential uses,

NOW, THEREFORE, 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 USS 3871, USS 667 FR and private right-of-way lots; located at 1801, 1803 and 1805 Glacier Highway; from D10, to Neighborhood Commercial zoning.

The described rezone is shown on the attached Exhibit "A" illustrating the area of the proposed zone change.

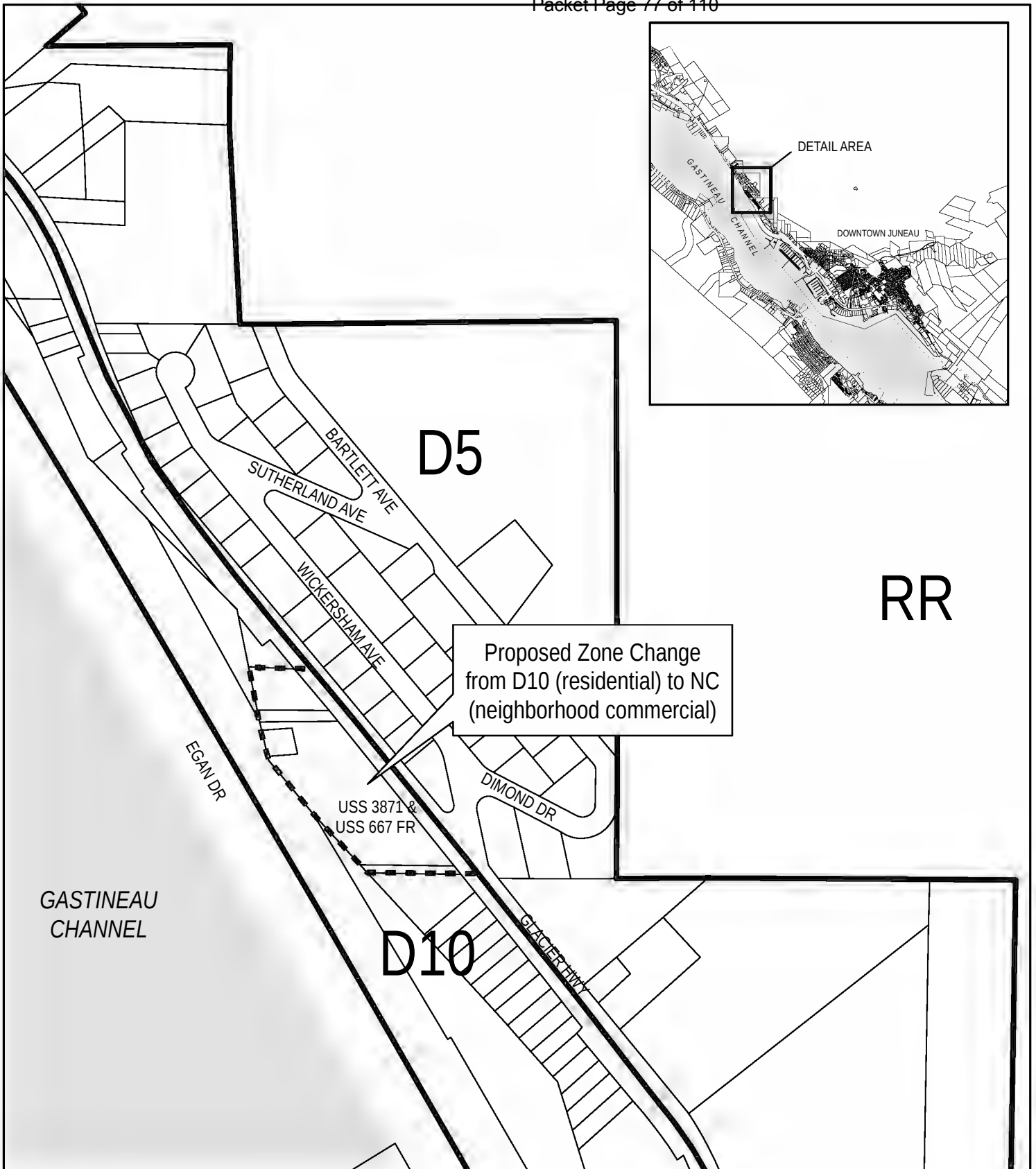
Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2017.

, Mayor

Attest:

Laurie J. Sica, Municipal Clerk



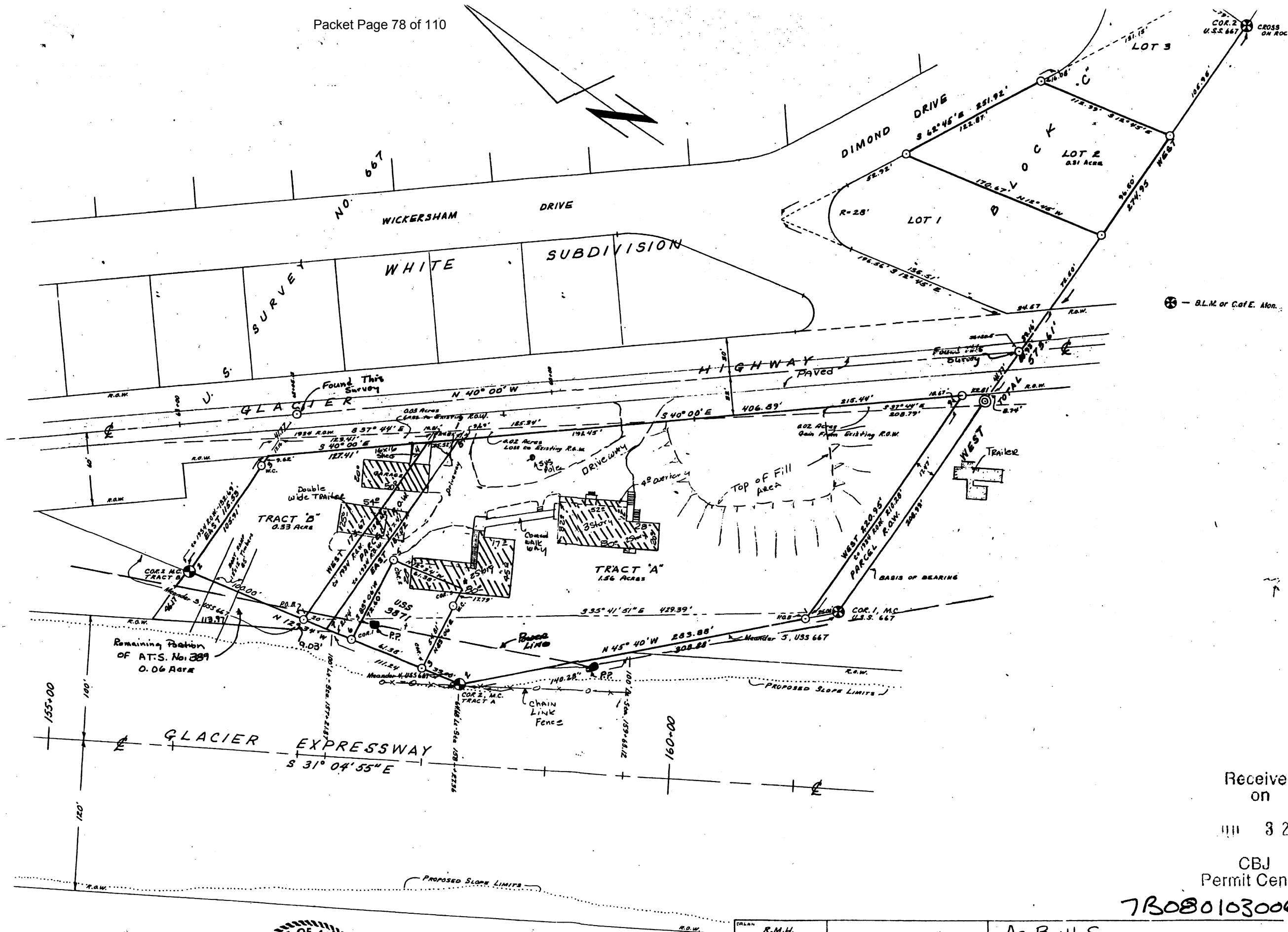
AME20210010

Zone Change for
USS 3871 & USS 667 FR

from D10 (residential) to NC (neighborhood commercial)

0 125 250 500
Feet





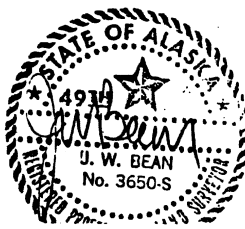
Received
on

3 2000

CBJ
Permit Center

7B0801030060

I hereby certify that this is a true and correct plat;
that all walks, roads, easements, and improvements thereon
are as shown and that all overlaps and encroachments are
as shown to the best of my knowledge.



AME2021 0010
ATTACHMENT E, page 1

Drawn	R.M.H.
Checked	J.W.B.
Date	7-30-07
File	J-111
Scale	1"=50'
By	
For	

J.W. BEAN
PROFESSIONAL SURVEYOR
3803 KIOWA DRIVE
JUNEAU, ALASKA
907-789-0590
SURVEYOR - PLANNER

As-Built Survey of:
2-PARCEL R.O.W.,
TRACT A & TRACT B, FRACTIONS
OF U.S. SURVEY NO. 667, and
Remaining Portion of A.T.S. 389,
U.S.S. 3871

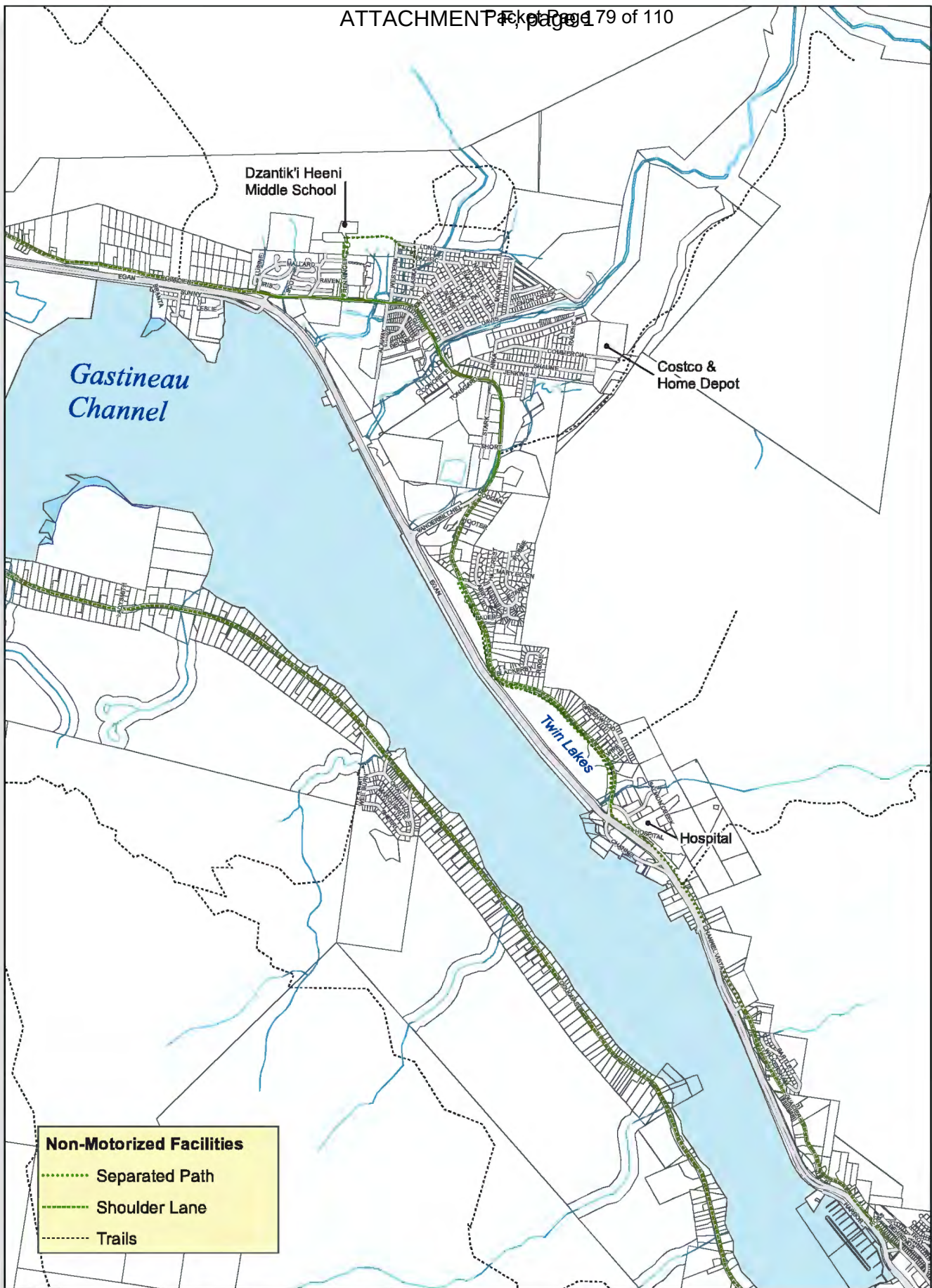


Figure 3: Twin Lakes and Lemon Creek Area - Existing

Juneau

Non-Motorized

Transportation Plan

Source data: City and Borough of Juneau GIS
 USGS National Elevation Dataset
 Date: 4/20/2009
 Drawn By: GAG
 Datum: Nad 27
 Projection: Alaska State Plane Zone 1



0 1,000 2,000 4,000 Feet
 0 0.5 1 Miles

Information originally obtained from the CBJ GIS was used to create this product. The CBJ assumes no responsibility for the completeness or accuracy of the data contained within.

Irene Gallion

From: Jeffrey Hedges
Sent: Wednesday, September 1, 2021 8:23 AM
To: Irene Gallion
Subject: RE: AME21-10: Rezone for Catholic Community Services

Morning,

The Building division has no issues with the rezone at this time.

Thanks,

Jeff Hedges, MCP, CBO, CSP | Building Inspector III
Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street, 4th Floor Marine View Building
Mailing: 155 S. Seward Street, Juneau, AK, 99801
Office: 907.586.0767 x4137 | Cell: 907.321.4361



Fostering excellence in development for this generation and the next.

From: Irene Gallion <Irene.Gallion@juneau.org>
Sent: Wednesday, September 1, 2021 7:35 AM
To: Charlie Ford <Charlie.Ford@juneau.org>; Jeffrey Hedges <Jeffrey.Hedges@juneau.org>; Dan Jager <Dan.Jager@juneau.org>; Alec Venechuk <Alec.Venechuk@juneau.org>; John Bohan <John.Bohan@juneau.org>; Mark Millay <Mark.Millay@juneau.org>
Subject: AME21-10: Rezone for Catholic Community Services

Hello team,

Attached is an application to rezone 2.6 acres on Old Glacier Highway from D10 to Light Commercial. You might best know the location as that of The Bridge adult day care center.

Please let me know if you have comments by September 13, 2021 at 8:00 am (that's a Monday). If you need more time let me know, I can work with you on that.

Thanks!



Irene Gallion | Senior Planner

Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street | 4th Floor Marine View Building
Office: 907.586.0753 X2



Fostering excellence in development for this generation and the next.

Irene Gallion

From: Bizzarro, Caleb T (DOT) <caleb.bizzarro@alaska.gov>
Sent: Thursday, September 2, 2021 11:03 AM
To: Irene Gallion
Cc: Schuler, Michael K (DOT)
Subject: RE: AME21-10: Rezone along Old Glacier Highway
Attachments: AME_21-10_Agency Comments Form.pdf; APP_AME21-10.pdf

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

Thank you Irene,

Whenever a change in use occurs (rezoning) it triggers examination of any approaches within the rezone area. If the applicant is approved for this rezone to Light Commercial, then they should reach out to DOT&PF SCR ROW to request driveway permits to certify their access is compliant.

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

From: Irene Gallion <Irene.Gallion@juneau.org>
Sent: Wednesday, September 1, 2021 3:56 PM
To: Bizzarro, Caleb T (DOT) <caleb.bizzarro@alaska.gov>
Subject: AME21-10: Rezone along Old Glacier Highway

Hi Caleb,

Attached is an application to rezone 2.6 acres on Old Glacier Highway from D10 to Light Commercial. You might best know the location as that of The Bridge adult day care center.

Please let me know if you have comments by September 13, 2120 at 8:00 am (that's a Monday). Let me know if you need more information. If you need more time let me know, I can work with you on that.

Thanks!



Irene Gallion | Senior Planner

Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street | 4th Floor Marine View Building
Office: 907.586.0753 X2



Fostering excellence in development for this generation and the next.



(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: Fire
STAFF PERSON/TITLE: Daniel Jager, Fire Marshal
DATE: 9-2-2021
APPLICANT: Catholic Community Services
TYPE OF APPLICATION: Rezone

PROJECT DESCRIPTION:

Rezone 2.6 acres from D10 to Light Commercial, to accommodate program and office space.

LEGAL DESCRIPTION: USS 3871/USS677FR
PARCEL NUMBER(S): 7B0801030060
PHYSICAL ADDRESS: 1801/1803/1805 Glacier Highway
SPECIFIC QUESTIONS FROM PLANNER:

AGENCY COMMENTS:

No fire code or fire department concerns for this request.

AGENCY COMMENTS (CONTINUED):

Irene Gallion

From: Mark Millay
Sent: Friday, September 3, 2021 1:38 PM
To: Alec Venechuk; Charlie Ford; Irene Gallion; Jeffrey Hedges; Dan Jager; John Bohan
Subject: RE: AME21-10: Rezone for Catholic Community Services

No issues here.
Thanks Mark

From: Alec Venechuk <Alec.Venechuk@juneau.org>
Sent: Thursday, September 2, 2021 12:56 PM
To: Charlie Ford <Charlie.Ford@juneau.org>; Irene Gallion <Irene.Gallion@juneau.org>; Jeffrey Hedges <Jeffrey.Hedges@juneau.org>; Dan Jager <Dan.Jager@juneau.org>; John Bohan <John.Bohan@juneau.org>; Mark Millay <Mark.Millay@juneau.org>
Subject: RE: AME21-10: Rezone for Catholic Community Services

General Engineering has no issue with the rezone request, unless John Bohan or Mark Millay want to speak out next week.

Alec

From: Charlie Ford <Charlie.Ford@juneau.org>
Sent: Thursday, September 2, 2021 7:59 AM
To: Irene Gallion <Irene.Gallion@juneau.org>; Jeffrey Hedges <Jeffrey.Hedges@juneau.org>; Dan Jager <Dan.Jager@juneau.org>; Alec Venechuk <Alec.Venechuk@juneau.org>; John Bohan <John.Bohan@juneau.org>; Mark Millay <Mark.Millay@juneau.org>
Subject: RE: AME21-10: Rezone for Catholic Community Services

Hi Irene,

Buildings has no issues with this rezone request.
Thanks,

Charlie Ford | Building Official

Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street, 4th Floor Marine View Building
Office: 907.586.0767



From: Irene Gallion <Irene.Gallion@juneau.org>
Sent: Wednesday, September 1, 2021 7:35 AM

To: Charlie Ford <Charlie.Ford@juneau.org>; Jeffrey Hedges <Jeffrey.Hedges@juneau.org>; Dan Jager <Dan.Jager@juneau.org>; Alec Venechuk <Alec.Venechuk@juneau.org>; John Bohan <John.Bohan@juneau.org>; Mark Millay <Mark.Millay@juneau.org>
Subject: AME21-10: Rezone for Catholic Community Services

Hello team,

Attached is an application to rezone 2.6 acres on Old Glacier Highway from D10 to Light Commercial. You might best know the location as that of The Bridge adult day care center.

Please let me know if you have comments by September 13, 2120 at 8:00 am (that's a Monday). If you need more time let me know, I can work with you on that.

Thanks!



Irene Gallion | Senior Planner

Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street | 4th Floor Marine View Building
Office: 907.586.0753 X2



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NEIGHBORHOOD MEETING

March 10, 2022, 6:00 pm

Project details at: [juneau.org/community development/short term projects](http://juneau.org/community%20development/short%20term%20projects)



COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:

The Community Development Department has received an application to rezone 2.6 acres at 1801, 1803 and 1805 Glacier Highway (Catholic Community Services) from D10 to Neighborhood Commercial (NC, preferred) or Light Commercial (LC, second choice) to accommodate office expansion. We are hosting a public meeting for those who are interested in learning more about the proposal.

This virtual meeting will be by video and telephonic participation only.

To join the Webinar, visit: <https://juneau.zoom.us/j/88291460906> . The Webinar ID is: 882 9146 0906 .

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 **Irene Gallion**, CDD Planner, at (907) 586-0753 ext. 4130 or irene.gallion@juneau.org.

This project is scheduled for review by the Planning Commission on April 12, 2022. All property owners within 500 feet of the proposed rezone will receive a separate notice with details on how and where to submit comments or testify before the Commission.

Case No.: AME2021 0010
Parcel No.: 7B0801030060
CBJ Parcel Viewer: <http://epv.juneau.org>

Invitation to Comment

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



COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for a **rezone of 2.6 acres from D10 to Neighborhood Commercial (NC) or Light Commercial (LC) at Glacier Highway.**

TIMELINE

Staff Report expected to be posted **April 4, 2022** at <https://juneau.org/community-development/planning-commission>. Find hearing results, meeting minutes and more here as well.

Now through Mar. 21	Mar. 22	noon, Apr. 8	HEARING DATE & TIME: 7:00 pm, Apr. 12, 2022	Apr. 13
Comments received during this period will be sent to the Planner, Irene Gallion , to be included as an attachment in the staff report.	Comments received during this period will be sent to Commissioners to read in preparation for the hearing.		This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting https://juneau.zoom.us/j/88987928148 and use the Webinar ID: 889 8792 8148 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above). You may also participate in person in City Hall Assembly Chambers, 155 S. Seward Street, Juneau, Alaska.*	The results of the hearing will be posted online.

FOR DETAILS OR QUESTIONS,
Phone: (907)586-0715 ♦
Email: pc_comments@juneau.org
Mail: Community Development, 155
S. Seward St, Juneau AK 99801
Printed March 11, 2022

**Please note that under current Covid-19 Mitigation strategies, Chambers has a limit of 50 people total, including commissioners and staff. Overflow standing room is provided in the lobby of City Hall.* AME2021 0010

ATTACHMENT I, page 1

Case No.: AME2021 0010

Parcel No.: 7B0801030060

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

Irene Gallion

From: Edward Rivera <edward.rivera@ccsjuneau.org>
Sent: Wednesday, March 23, 2022 2:42 PM
To: Irene Gallion; Marianne Mills
Subject: RE: AME21-10: Public Notice Sign and Question
Attachments: CCS rezone public notice sign 2.jpg; CCS rezone public notice sign.jpg

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

I've attached two pictures to show that the sign is up and visible. Please let us know if there is anything else you need. Thank you for all your help.

Edward

From: Irene Gallion <Irene.Gallion@juneau.org>
Sent: Tuesday, March 22, 2022 9:07 AM
To: Edward Rivera <edward.rivera@ccsjuneau.org>; Marianne Mills <marianne.mills@ccsjuneau.org>
Subject: AME21-10: Public Notice Sign and Question

Hi Edward and Marianne,

A Public Notice Sign is ready for you to pick up from the permit center (4th floor of the Marine View). The fee is \$150, and \$100 is refundable if the sign is returned by the Monday after the meeting. Please check in with Permit staff before taking the sign, they have some paperwork for you to fill out.

Post the sign where it can be seen from the road, and will not be obscured by snow removal (maybe we are done with that concern for the year?)

Send me a picture of the sign when you have posted it. The e mail will be used to date stamp the sign posting. Note that the sign needs to be up by Tuesday, March 29, 2022.

And as for the question: Do you guys have an estimate on how much office space you'd like to establish? An approximation is fine.

Thanks!

Irene Gallion | Senior Planner

Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street | 4th Floor Marine View Building
Office: 907.586.0753 X2



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PUBLIC NOTICE

ZONE CHANGE
AME20210010
Rezone of 2.6 acres from D10 to
Neighborhood Commercial (NC)
or Light Commercial (LC).
HEARING DATE:
4/12/2022

TO SUBMIT COMMENTS OR OBTAIN ADDITIONAL
INFORMATION CONTACT THE COJ COMMUNITY
DEVELOPMENT DEPARTMENT AT THE MAKING
VIEW CENTER BY CALLING 586-0715

780-2228

Irene Gallion

From: Irene Gallion
Sent: Tuesday, March 22, 2022 9:00 AM
To: Paul Khera
Cc: Irene Gallion
Subject: RE: Rezone of 1801, 1803, and 1805 Glacier Highway

Hi Paul, see answers below.

How will this affect property taxes?

The property being rezoned is classified as "charitable exempt," so our Assessor's Office does not value it. If the property was transferred to a non-exempt entity, taxes could possibly go up, it would depend on the "highest and best use of the property."

Catholic Community Services intends to retain the property.

The rezone will not change how the Assessor's Office values neighboring property.

Will the rezone require a higher property tax for the applicant?

The Applicant does not pay taxes.

What infrastructure will be needed to support this increased office space and how will that affect my property taxes?

Under both Neighborhood Commercial and Light Commercial, office space up to 10,000 square feet is allowed. The Commission will determine if improvements to city infrastructure are required. ADOT&PF has reviewed the proposal, and stated that if the applicant changes the use of the area they should reach out to ADOT&PF to verify their driveway access is complaint.

Will the increase in office space cause additional traffic congestion and highway safety issues for us residents?

Under current zoning, the property could support 26 residences. The Institute of Traffic Engineers' (ITE) Trip Generation Manual estimates approximately 10 average annual daily traffic (AADT) per unit, or 260.

Under proposed zoning, the property could support 10,000 square feet of office space without a Conditional Use Permit. ITE estimates 11 AADT per 1,000 square feet of general office space, or 110. Expansion beyond 10,000 square feet of office space would require a conditional use permit, and an associated public process.

Again, ADOT&PF has reviewed the proposal, and stated that if the applicant changes the use of the area they should reach out to ADOT&PF to verify their driveway access is complaint.

Will the applicant provide parking for all persons using this facility or can we expect more roadside parking along the bike path?

The Applicant will need to accommodate parking on their lot, or receive a parking waiver. The parking waiver would require Planning Commission approval and an associated public process.

Let me know if you have further questions or comments. Thanks for participating!

Irene Gallion | Senior Planner

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

Location: 230 S. Franklin Street | 4th Floor Marine View Building
Office: 907.586.0753 X2



Fostering excellence in development for this generation and the next.

From: Paul Khera <alaskakhera@yahoo.com>
Sent: Saturday, March 12, 2022 4:55 PM
To: Irene Gallion <Irene.Gallion@juneau.org>; PC_Comments <PC_Comments@juneau.org>
Subject: Rezone of 1801, 1803, and 1805 Glacier Highway

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

Questions/Comments:

1. How will this affect property taxes?
2. Will the rezone require a higher property tax for the applicant?
3. What infrastructure will be needed to support this increased office space and how will that affect my property taxes?
4. Will the increase in office space cause additional traffic congestion and highway safety issues for us residents?
5. Will the applicant provide parking for all persons using this facility or can we expect more roadside parking along the bike path?

Sincerely,
Paul Khera

Systemic Racism Review Committee Legislation Review Summary

Serial Number/Title: **Ordinance 2022-30** Rezone of 2.6 acres from D10 to Neighborhood Commercial (NC)

Introduced: July 11, 2022 Public Hearing Date: _____ SRRC Review Date: July 12, 2022

Presented By: Scott Ciambor Drafted By: Irene Gallion

Department/Division: Community Development Lead Staff Contact: Irene Gallion

Purpose of Legislation (background/summary of intent):

Land owners would like accommodation for more office space so they can consolidate operations from multiple sites.

The proposed rezone is to Light Commercial, described in code as, "...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. [CBJ 49.25.230(a)]"

Residential density is 30 units per acre.

Office space is an allowed us up to 10,000 square feet, at which point a Conditional Use Permit is required.

The request was originally to rezone to Neighborhood Commercial. However, the setback and future development constraints were more restrictive than Light Commercial. The Planning Commission recommended the more flexible zoning.

Connection to existing legislation:

The land is currently a residential zoning: D10, described in code as, "...intended to accommodate primarily multi-family residential development at ten units per acre. These are relatively low-density multi-family districts."

Residential density is 10 units per acre.

Office space up to 2,500 square feet requires a Conditional Use Permit. Office space over 2,500 square feet is not allowed.

Connection to adopted planning documents:

2013 COMPREHENSIVE PLAN -			
Chapter	Page No.	Item	Summary
10	140	Policy 10.13	Encourage mixed use development (SOP 1). Utilize appropriate zoning standards (SOP 2). Rezone for mixed use (IA1).
11	147	Map K	Medium Density Residential: Urban residential lands accommodating multi-family structures with densities from 5-20 units per acre. Commercial development must be consistent with residential uses.

Step One: What is the impact of the proposed legislation?

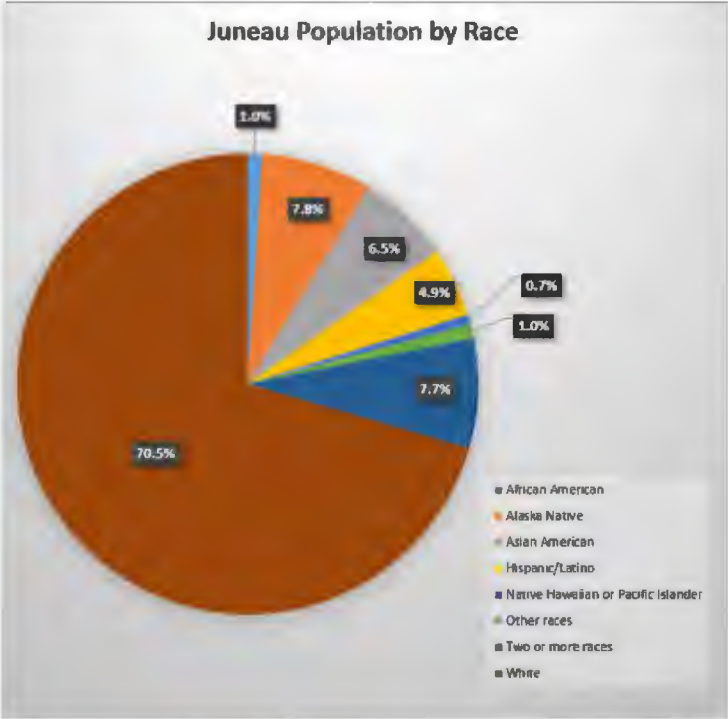
Committee members may wonder the difference between this rezone and the North Douglas rezone (AME21-01) determined by the SRRC January 3, 2022 to promote systemic racism. Both rezones propose changing a primarily residential use to a primarily commercial use.

As noted by the CDD Director at that meeting, a rezone can only be conditioned with access, utility, and safety elements. CBJ cannot condition the type of development, and should be comfortable with the potential uses of a zoning district.

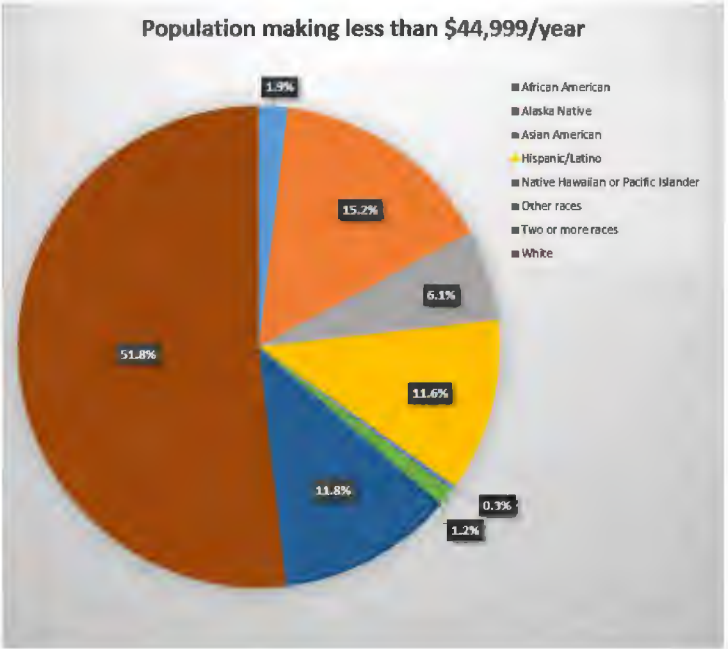
Key points that favor this rezone:

- Minorities are over-represented in populations living in poverty in Juneau.
- Minorities are more likely to walk or use transit.
- Rezoning to LC provides space that can flex between provision of denser housing and offices that serve disadvantaged populations, on a route that has pedestrian and transit access.

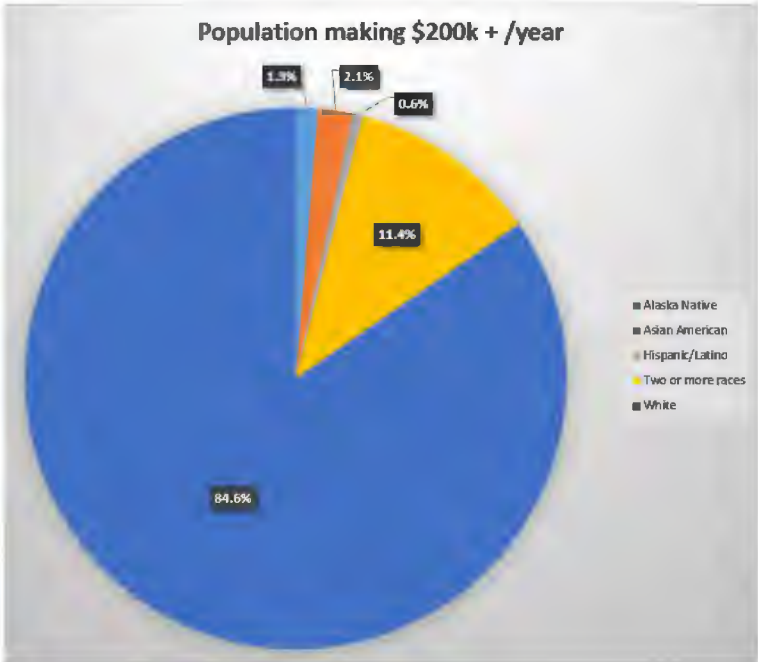
The first bullet is a key link between income and racism that has been difficult to establish. Due to funding and time constraints, readily-available data from the 2016-2020 US Census American Community Survey for Juneau (**attached**) was analyzed. Minorities are over-represented in the population living in poverty, and under-represented in the population making more than \$200,000 a year.



Minorities make up 29.5 percent of the population...



...but 48.2 percent of the population living in poverty (under \$43,000 a year for a family of four)...



...and 15.4 percent of the population making \$200,000 a year or more.

- a. Does the proposed legislation negatively impact or unduly advantage a particular racial/ethnic group or otherwise perpetuate systemic racism?
If No, review is completed. If yes, go on to the next question:

YES	NO

- b. Does the legislation work to mitigate and/or eliminate structural racism
If Yes, review is completed. If No, or Undetermined, continue through the remaining steps.

--	--

Step Two: How does the legislation perpetuate systemic racism?

- a. What are potential unintended consequences?
- b. What benefits may result?
- c. What is the potential long term impact of the proposed legislation?

Details:

- d. What quantitative and qualitative evidence of inequality exists?

Details:

- e. What steps has the department or legislation sponsor taken to notify those impacted of the proposed changes?
- f. Have key stakeholders who could be potentially impacted by the proposed legislation been engaged?

Details:

- g. Has public input been received?
- h. If public comment has been received, what is the substance of that comment?

Details:

Step Three: Who is affected by the Proposed Legislation?

a. Who are the impacted group(s)?

- ☐ White ☐ Black or African American ☐ American Indian or Alaska Native
☐ Asian ☐ Native Hawaiian or Pacific Islander ☐ Two or more races ☐ Other

b. Are there impacts on specific geographic areas?

Race Considerations - Total Community is 69.7% White Only - 30.3% Minority						Economic Considerations	
Census Tract/Block Groups	Minority Pop.	Census Tract/Block Groups	Minority Pop.	Census Tract/Block Groups	Minority Pop.	Elementary School Boundaries	
CT 1: Auke Bay/Out the Road		CT 3: Mendenhall Valley Airport/ East Valley		CT 5: Downtown		Gastineau	Title 1
BG1: Out the road	11.9%	BG1: N. of Jennifer	42.5%	BG 1: Highlands	20.6%	Harborview	Title 1
BG2: Lena area	15.5%	BG 2: Glacier Valley S	39.8%	BG2: DT/Starr Hill	24.8%	Glacier Valley	Title 1
BG3: Montanna Creek	14.5%	BG 3: Airport	40.8%	BG 3: Flats/Village	30.8%	Mendenhall River	
BG4: Fritz Cove area	10.1%	BG 4: Radcliffe	24.6%			Riverbend	Title 1
						Auke Bay	
CT 2: Mendenhall Valley within the Loop		CT 4: Salmon Creek/Lemon Creek		CT 5: Douglas Island		Lower Income Housing Areas	
BG1: Mendenhall Takt	27.8%	BG 1: DZ/Freds	60.9%	BG 1: North Douglas	15.9%	Chinook/Coho	
BG2: Upper Riverside	23.1%	BG 2: Davis	45.0%	BG 2: West Juneau	28.0%	Cedar Park Area	
BG 3: Portage/McGinn	33.7%	BG 3: Belardi Costco	63.8%	BG 3: Crow Hill/ DT D	27.6%	Gruening Park Area	
BG 4: Long Run	19.6%	BG 4: Twin Lakes	25.9%			Switzer Area	
BG 5: Glacierwood/Vir	41.2%					Kodzhoff Area	
						Douglas Hwy Corridor	

c. Is there a benefit to a specific census block district/neighborhood/school zone?
 If Yes, does it come at the detriment of another?

Details:

YES	NO

d. Is there a benefit to an individual, group of individuals, or business/organization?
 If yes, does that come at a detriment of others?

Details:

Step Four: What solutions could remedy the legislation's implications in perpetuating systemic racism? Check all that apply:

☐	Recommend additional public input be gathered (Neighborhood/census block meetings, assembly/ committee meetings)
☐	Recommend that the legislation move forward with accountability measures (sunset provisions, 6 mo./annual review of impacts/implications for system racism.) to monitor impact.
☐	Propose revised language to strengthen the legislation or the legislation or regulations cross-referenced within the proposed legislation.
☐	Recommend the proposed legislation not move forward.
☐	Other: (explain)

Step Five: Further Feedback to the Assembly on systemic racism implications

The SRRC will forward to the Assembly any additional questions that arose during the legislation review that the committee feels may be important for the Assembly to consider.

If a systemic racism implication is identified, the SRRC will provide a written report to the Assembly that includes consideration of the provisions below:

What are the indicators and progress benchmarks?

Program strategies?

Policy Strategies?

Partnership Strategies?

ATTACHMENT:



Presented by: The Manager
Presented: 06/13/2022
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-36

**An Ordinance Amending the Land Use Code Relating to the Downtown
Juneau Alternative Development Overlay District.**

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. Repeal and Reenactment of Article. Article XII of Chapter 49.70 Alternative Development Overlay District, is repealed and reenacted as follows:

ARTICLE XII. ALTERNATIVE DEVELOPMENT OVERLAY DISTRICT

**DIVISION 1. - DOWNTOWN JUNEAU ALTERNATIVE DEVELOPMENT OVERLAY
DISTRICT**

49.70.1200 Purpose.

The purpose of this article is to establish optional alternative dimensional standards for residential development that are consistent with the built environment in established neighborhoods, reduce the number of nonconforming situations, and support public health, safety and welfare.

49.70.1210 Applicability.

(a) This article applies to property within the Downtown Juneau Alternative Development Overlay District (ADOD) boundary as shown on the map entitled Ord. 2021-36 Appendix A.

(b) Participation in the Downtown Juneau ADOD to facilitate conforming residential development is optional.

(c) Property subject to or permitted by this article is limited to residential uses only.

(d) This article specifically modifies certain dimensional standards. Unless noted in this section, all remaining requirements of the underlying zoning district apply.

(e) This article does not modify permissible uses or the processes outlined in 49.15 Article II.

(f) When a landowner chooses to develop according to Downtown Juneau ADOD standards, the development must conform to all the standards outlined in 49.70.1230 and 49.70.1240.

(g) Downtown Juneau ADOD standards may be applied to a new subdivision within the ADOD boundary.

(h) Existing nonconforming lots and structures may be further developed following Downtown Juneau ADOD standards. Expansion of nonconforming structures must meet either the Downtown Juneau ADOD standards or the underlying zoning standards. The two standards cannot be combined.

49.70.1220 Downtown Juneau Alternative Development Overlay District procedure.

(a) An applicant affirms their participation in the Downtown Juneau Alternative Development Overlay District by submitting an alternative development permit application with their development permit application, and any other applications that may be required.

(b) The processes will be governed by corresponding permit type in accordance with Chapter 49.15.

49.70.1230 Downtown Juneau Alternative Development Overlay District Standards.

The following dimensional standards apply to lots within the Downtown Juneau ADOD boundary regardless of their underlying zoning district designation.

(a) Lot size.

(1) Minimum lot size is 3,000 square feet.

(2) Minimum lot size for a duplex is 4,500 square feet.

(3) Minimum lot size for a common wall structure is 3,000 square feet.

(b) Lot width.

(1) Minimum lot width is 25 feet.

(c) Minimum vegetative cover is 15 percent.

(d) Structure height.

(1) Maximum height for primary uses is 35 feet.

(2) Maximum height for accessory uses is 25 feet.

(e) Setbacks.

(1) Setbacks will be measured from the structure closest to the lot line.

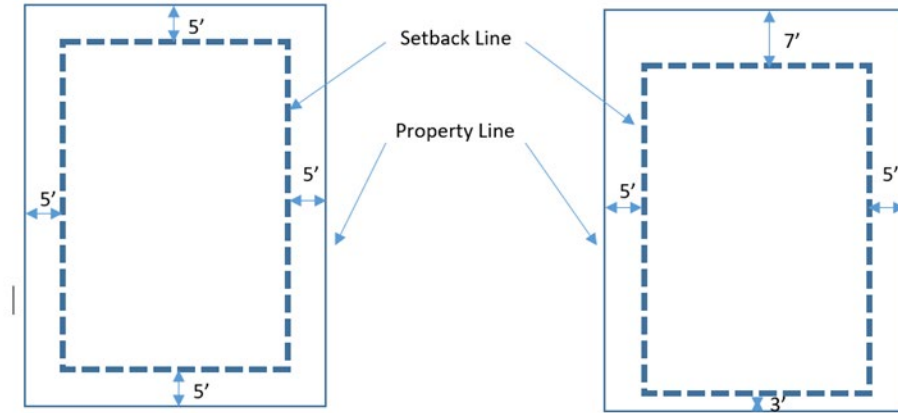
(2) The minimum setback for any lot line is three feet.

(3) Cumulative setback amount:

(A) The sum of all setbacks must equal at least 20 feet.

(B) If lot size is less than required in this section, the required setback sum may be reduced proportionally. In no case shall the required setback sum for the lot be less than 12 feet and in no case shall any setback be less than three feet.

Examples



§1230 Fig. 1

§1230 Fig. 2

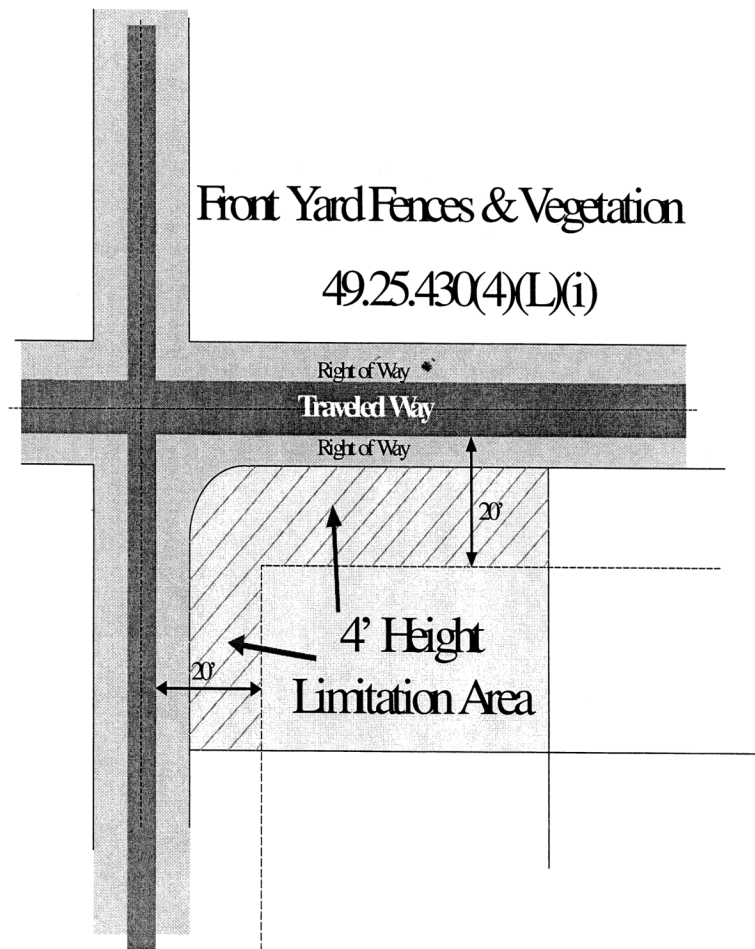
49.70.1240 Yard Setback Exceptions.

(a) Purpose. This section clarifies the setback exceptions that apply in the Downtown Juneau Alternative Development Overlay District. Exempted elements do not count toward the setback total.

(b) Exception categories.

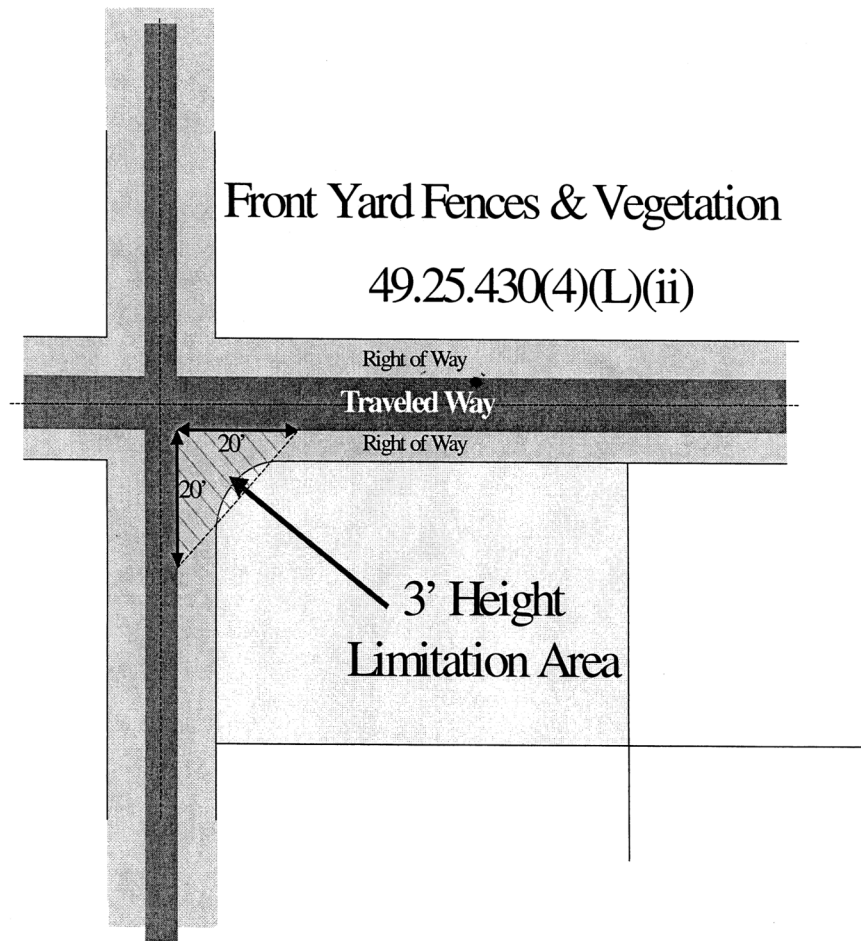
- (1) Architectural features and roof eaves may project into a required yard, but not closer than two feet from the side or rear lot lines.
- (2) Access structures, such as stairways, ramps, and landings with or without roofs, may extend to the lot line abutting a public right-of-way provided the structure does not exceed five feet in internal width exclusive of support structure.
- (3) A parking deck is exempt from the setback requirements of this chapter.
- (4) Fences and vegetation. For this section, a "traveled way" is defined as the edge of the roadway shoulder or the curb closest to property.

- (A) The maximum height of a sight obscuring fence or vegetation shall not exceed four feet within 20 feet of the edge of the traveled way. Trees are allowed within 20 feet of the edge of the traveled way provided they do not obscure view from a height of four feet to a height of eight feet above the ground;



- (B) On corner lots the maximum height of a sight-obscuring fence or vegetation located within 20 feet of a street intersection shall not exceed three feet. The area in which sight-obscuring fences and vegetation is restricted shall be determined by extending the edge of the traveled ways to a point of intersection, then measuring back 20 feet, then connecting the points. In this

area, vegetation shall be maintained to a maximum height of three feet. Trees are allowed in this area provided the trees do not obscure view from a height of three to eight feet above the ground.



(5) Energy efficiency. Energy efficiency improvements that do not increase interior square footage, such as exterior insulation, may project up to eight inches into a required yard. An energy efficiency improvement may not be approved under this section if it projects into the right-of-way or across a property line.

Section 3. Amendment of Section. CBJC 49.80.120 Definitions, is amended by adding a new definition in alphabetical order to read:

49.80.120 Definitions.

...

Parking deck is an unenclosed structure on which motor vehicles may be parked. The access to the deck must be at street grade. The deck may have a non-sight-obscuring safety rail.

...

Section 4. Amendment of Section. CBJC 49.85.100 Fees for Land Use Action; Generally, is amended to read:

49.85.100 Generally.

Processing fees are established for each development, platting, and other land use action in accordance with the following schedule:

...

(10) Variances and alternative development permits.

(A) Administrative variance, \$120.00;

(B) Non-administrative variance, \$400.00;

~~(C) Alternative development permit, \$400.00.~~

...

Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

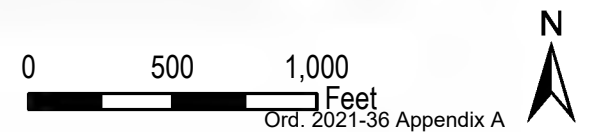
Elizabeth J. McEwen, Municipal Clerk

Alternative Development Overlay District
(ADOD) Boundary

ArcMap source: P:\quinn\Projects\LA\ame20180004_adod.mxd

CDD Case: AME20180004

DOWNTOWN JUNEAU ALTERNATIVE DEVELOPMENT OVERLAY DISTRICT



August 5, 2022

Mr. Dan Bleidorn
Division of Lands and Resources Manager
City and Borough of Juneau
Dan.Bleidorn@juneau.org

Re: Letter of interest to purchase Pederson Hill lots

Dear Dan,

Tlingit Haida Regional Housing Authority (THRHA), a 501(C)(3) nonprofit corporation, is requesting to partner with the City and Borough of Juneau to develop Phase 1B and 1C of the Pederson Hill subdivision. As a nonprofit corporation, we are making our request under the CBJ code for a negotiated sale or for disposal for a public purpose.

In 1995, THRHA and the CBJ negotiated the sale/purchase of the 50-unit S'it'tuwan Subdivision in the valley. The majority of those lots are still providing low-income families with homes today either as a rental or as a homeownership unit. We are interested in negotiating a similar agreement for the Pederson Hill Subdivision. However, for this project we plan to develop a mixed income homeownership subdivision. Our request is to develop phase 1B first, and then phase 1C.

THRHA plans to build homes on these lots and sell 50% to low-income tribal citizens and the other 50% will be available to moderate income Juneau residents for purchase. We have successfully executed similar sales outside of Juneau in the smaller communities over the last two years. We will use grant funds to build the low-income homes and provide down payment assistance. We will use other unrestricted funding to build the moderate-income homes.

We have partnered with our mortgage lending subsidiary, Haa Yakaawu Financial Corporation (HYFC) under our Success Starts With Me program to qualify low-income families for mortgage loans. HYFC provides financial education and one on one counseling to these families. As a Community Development Financial Institution (CDFI), HYFC is able to create unique loan packages to meet the needs of each family. The package may include a first and second mortgage, forgivable down payment assistance, extended loan terms, and we have had success offering a sweat equity option. Staff also work with other agencies to qualify the family for additional mortgage assistance. Our target population is 60%-120% MFI.

THRHA's current funding requires an environmental review to be conducted before any ground disturbing activity can begin. We anticipate that the construction of roads and utilities would begin in 2023 for 1B. Construction of the homes would begin in 2024 with the first families moving in during 2025. The development of 1C would begin after the completion of 1B.

THRHA would be the general contractor and has a construction crew that would build the homes. Work such as electrical and plumbing will be subcontracted. Other carpentry work may be subcontracted as well depending on our other projects. Our crews consist mostly of tribal citizens and include those in our apprenticeship program. The homes will be moderate in size, 1200-1400 sqft. We anticipate the purchase price

to be around \$450,000, but as stated above we are usually able to reduce the amount of the mortgage below the purchase price.

Regarding the properties designated as parks/open space, THRHA is interested in keeping them as such, and would look for additional funding to create a park and or playground. We would be interested in working with the CBJ to maintain any parks or playgrounds in the neighborhood.

THRHA is currently working on a HUD grant application to provide funding for this project and will be applying for the CBJ's upcoming CDBG grant for infrastructure.

While other contractors are building market rate housing to address Juneau's housing crisis, THRHA can create quality housing opportunities for low-income residents. THRHA is a recognized leader in quality, energy efficient construction. THRHA has achieved 6-star ratings in all 24 homes it has built over the past two years and incorporates features such as energy heel trusses (allowing more attic insulation), EV chargers, heat pumps, hybrid hot water heaters and even heat pump dryers as standard features.

Thank you for considering our request. We look forward to another successful partnership with the CBJ to create more affordable housing in Juneau.

Sincerely,



Jacqueline Kus.een Pata
President & CEO