



CITY AND BOROUGH OF  
**JUNEAU**  
ALASKA'S CAPITAL CITY  
COMMUNITY DEVELOPMENT

# DEVELOPMENT PERMIT APPLICATION

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

To be completed by Applicant	<b>PROPERTY LOCATION</b>		
	Physical Address 7170 Glacier Hwy		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) SEVEN MILE LOT 4		
	Parcel Number(s) 5B1401000031		
	<input type="checkbox"/> This property located in the downtown historic district <input checked="" type="checkbox"/> This property located in a mapped hazard area, if so, which _____		
	<b>LANDOWNER/ LESSEE</b>		
	Property Owner Duran Construction Co, LLC		Contact Person Marciano Duran
	Mailing Address P.O. Box 32634 Juneau, AK 99801		Phone Number(s) 907-321-6161
	E-mail Address mduran@accsalaska.net		
	<b>LANDOWNER/ LESSEE CONSENT</b> 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>Marciano Duran</u> 1/31/2025 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.			
<b>APPLICANT</b> If the same as OWNER, write "SAME"			
Applicant SAME		Contact Person	
Mailing Address		Phone Number(s)	
E-mail Address			
X <u>Marciano Duran</u> 1/31/2025 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 <u>[Signature]</u>	
Case Number AME25-03	Date Received 6/30/25



# ZONE CHANGE APPLICATION

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

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

## PROJECT SUMMARY

Change existing Zone from D-18 to LC (Light Commercial) in order to achieve an affordable Development by increasing the density.

## IS THIS AN EXPANSION OF AN EXISTING ZONE?

☒ Yes ☐ No

Total Land Area of Proposed Change 4.03 acres

Comprehensive Plan Land Use Designation MDR

Current Zone(s) D-18

Comprehensive Plan Map Letter G

New Zone Requested LC

## TYPE OF ZONE CHANGE REQUESTED

☒ Regular

☐ Transition

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

## UTILITIES AVAILABLE

WATER: ☒ Public ☒ On Site

SEWER: ☒ Public ☒ On Site

## ALL REQUIRED MATERIALS ATTACHED

☒ Complete application

☒ Pre-Application Conference notes

☒ Narrative including:

☒ Purpose of the requested zone change

☒ Any potential impacts to public infrastructure (streets, water, & sewer)

☒ How the requested zone change comply with the maps and policies of the Comprehensive Plan

☒ Site Plan and/or map of proposed zone change (details on reverse side)

DEPARTMENT USE ONLY BELOW THIS LINE

ZONE CHANGE FEES	Fees	Check No.	Receipt	Date
Application Fees	\$ <u>600<sup>00</sup></u>			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ <u>50<sup>00</sup></u>			
Pub. Not. Sign Deposit	\$ <u>100<sup>00</sup></u>			
Total Fee	\$ _____			

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

## INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Case Number

AME25-03

Date Received

6/30/25

## **Zone Change Application Information**

Zone changes are outlined in CBJ 49.75 article I

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

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

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

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

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

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

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

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

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

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

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

---

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**



(907) 586-0715  
 CDD\_Admin@juneau.gov  
 www.juneau.org/community-development  
 155 Heritage Way • Juneau, AK 99801

## Rezone – 7170 Glacier Hwy

Case Number: PAC2025 0008  
 Applicant: Marciano Duran  
 Property Owner: Duran Construction Company LLC  
 Property Address: 7170 Glacier Hwy  
 Parcel Code Number: 5B1401000031  
 Site Size: 175,620 square feet; 4.03 acres  
 Zoning: D18  
 Existing Land Use: Vacant

Conference Date: March 5, 2025

Report Issued: April 25, 2025

**DISCLAIMER:** Pre-application conferences are conducted for the purpose of providing applicants with a preliminary review of a project and timeline. Pre-application conferences are not based on complete application and are not guarantee of final project approval.

## 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
Marciano Duran	Applicant	<a href="mailto:MDuran@acsalaska.net">MDuran@acsalaska.net</a>
Josette Duran		<a href="mailto:Duran@acsalaska.net">Duran@acsalaska.net</a>
Marciano Duran Jr.		<a href="mailto:MarsDuran19@gmail.com">MarsDuran19@gmail.com</a>
Jolene Murphy	Planning	<a href="mailto:Jolene.Murphy@juneau.gov">Jolene.Murphy@juneau.gov</a>
Irene Gallion		<a href="mailto:Irene.Gallion@juneau.gov">Irene.Gallion@juneau.gov</a>
Ilsa Lund		<a href="mailto:Ilsa.Lund@juneau.gov">Ilsa.Lund@juneau.gov</a>
Jeff Hedges	Building	<a href="mailto:Jeffrey.Hedges@juneau.gov">Jeffrey.Hedges@juneau.gov</a>
Bridget LaPenter	General Engineering	<a href="mailto:Bridget.LaPenter@juneau.gov">Bridget.LaPenter@juneau.gov</a>
Sydney Hawkins	Permitting	<a href="mailto:Sydney.Hawkins@juneau.gov">Sydney.Hawkins@juneau.gov</a>

## 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.

- Possible driveway access discussion with eastern property; AMHTA owned parcels to the north have expressed possible interest in development of lands with shared driveway
- Applicant should contact DOT about the possibility of creating access to the lot from Glacier Hwy

## Project Overview

Applicant is requesting a zone change from D18 to LC to increase the allowable residential density of 7170 Glacier Hwy. The lot is currently vacant. Adjacent properties are zoned D5 to the west, LC to the East and D18 to the south.



## Zone Change Process

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

1. The request constitutes an expansion of the existing Light Commercial (LC) zone and is more than 4 acres, which exceeds the minimum lot size of 2 acres for a single lot rezone request.
2. No similar request has been made in the past year

Application process:

- Apply for the rezone in July
- Work with CDD on organizing a public meeting. CDD would present on the regulatory details, and the applicant would be able to present based on the vision for the area
- Modify the proposal as warranted by public comments
- Present the proposal to the Planning Commission. They will forward to the Assembly, and:
  - Recommend approval, OR
  - Recommend approval with modifications OR

- Recommend denial
- The Assembly will most likely consider the rezone:
  - At a subcommittee, probably Lands, Housing and Economic Development
  - At a Committee of the Whole (work group), then
  - At a regular Assembly Meeting, where the rezone will be voted on.

### **Background**

The site was zoned R-7 in 1969. R-7 zoning established a low density, single- and two- family district, with a minimum lot size of 7,000 square feet for a single-family home. It was zoned D-5 under ordinance 87-49 under a major, borough-wide revision. Plat 2006-62 subdivided one larger lot into four smaller lots, including this one.

Under MAP2009-03 a rezone change was granted from D5 to D18, after an initial request to rezone from D5 to LC was modified. The lot is designated Medium Density Residential (MDR) in the Comprehensive Plan. Changing the zoning to LC was not approved as commercial use on this site was not consistent with an MDR Comprehensive Plan designation.

The site was never developed, but was conditioned to have no more than one access point to Glacier Highway when developed. This condition was added to alleviate future traffic concerns. Negotiations with the city were unsuccessful in creating private shared access with the CBJ driveway. A future subdivision would require the creation of a publicly maintained ROW with DOT permitting [CBJ 49.35.210(c)(1)(C)]

---

### **Alternative Residential Subdivision (ARS) Possibility**

Because a similar rezone request was denied in 2009, pursuing ARS development standards may be another way to increase the allowable density while avoiding concerns about a rezone not being consistent with the Comprehensive Plan.

The alternative residential subdivision (ARS) standards allow for higher density development than what would typically be allowed in a district by awarding density bonuses. Creating this type of subdivision would result in individual lots surrounded by a parent lot. Individual lots have no minimum size. The formation of an HOA/similar entity is required. The parent lot would need to conform to the zoning district standards, while individual lots only need to conform to parking requirements. The units on 4090 Delta Drive are an example of this kind of development.



4090 Delta Drive

The density under ARS is calculated by multiplying the maximum number of dwelling units per gross acre permitted in the underlying zoning district (D18) by the number of acres in the ARS (4) and rounding to the nearest whole number. 72 units would be permitted, with the potential for more with a density bonus of up to 25%. With a 25% bonus up to 90 units could be developed.

Applicable density bonuses can be awarded as follows:

- 5% for each 10% of open space in excess of the 50% lot coverage maximum
- 5% for a continuous setback >50 feet
- 15% for a mixture of housing units restricted by a recorded document for 30 years from sale:
  - In which 10% of units are set aside for households earning no more than 80% AMI or
  - In which 20% of units are set aside for households earning no more than 120% AMI
- Up to 10% for common space amenities such as siting, landscaped buffers or preservation view corridors
- 10% for the dedication of a public ROW accessible to all unit lots
- 10% for bike/ped pathways through the development
- 5% for designing a five-star plus energy efficiency rating
  - 10 % for designing to a six-star plus energy efficiency rating
- Up to 10% for using high-efficiency primary heating methods (heat pumps) in all dwellings

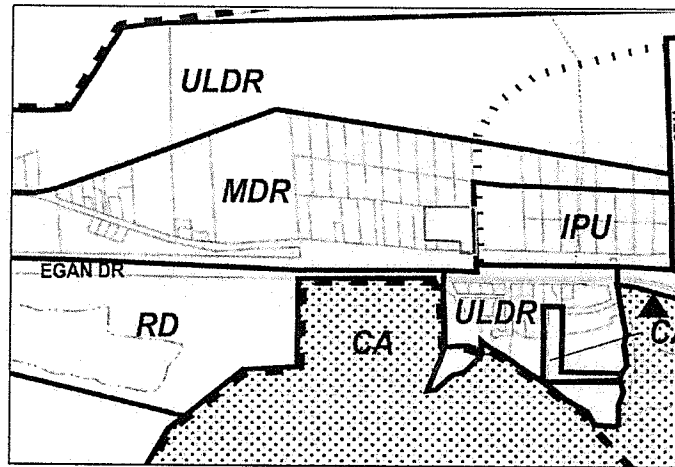
**ARS Abbreviated Review Process:**

- Schedule a preapplication conference with informal project permit review
- Submit a Development Permit Application and ARS application
- Applications reviewed according to the Conditional Use Permit process
  - Approval is a two-step process:
    - Preliminary Plan Approval
      - Director will schedule preliminary plan for the planning commission
      - If approved, applicant will submit final plan
    - Final Plan Approval
      - HOA must be established as a part of the final plan review process
      - An approved final plan will expire 18 months after recording if applicant does not obtain a building permit and make substantial construction progress
        - A development permit extension may be applied for

---

**Planning Division**

1. **Current Zoning** – A rezone must conform to the 2013 Comprehensive Plan land use maps. On Map F (Submitted with this application) this area is Medium Density Residential (MDR) The Comprehensive Plan defines MDR as:



2.

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

CBJ 49.25.210 outlines the densities of D18 and LC:

*The D-18, residential district, is intended to accommodate primarily multifamily development at a density of 18 dwelling units per acre. This is a high-density multifamily zoning district intended to accommodate midrise-type development.*

*The LC, light commercial district, is intended to accommodate commercial development that is less intensive than that permitted in the general commercial district. Light commercial districts are primarily located adjacent to existing residential areas. Although many of the uses allowed in this district are also allowed in the GC, general commercial district, they are listed as conditional uses in this district and therefore require commission review to determine compatibility with surrounding land uses. A lower level of intensity of development is also achieved by stringent height and setback restrictions. Residential development is allowed in mixed- and single-use developments in the light commercial district.*

3. **Subdivision** – N/A

4. **Setbacks** – A rezone to LC would increase front, side and street side yard setback requirements.

Setback type	D18 (feet)	LC (feet)
Front yard	20	25
Side yard	5	10
Street side yard	13	17
Rear	10	10

5. **Height** – Height restrictions would be unchanged.

	D18 (feet)	LC (feet)
Permissible	35	35
Accessory	25	25

6. **Access** – Glacier Hwy

7. **Parking & Circulation** –

Housing Type	Spaces Required
Single-Family & Duplex	2 per dwelling unit
Multifamily Units	1 per one-bedroom
	1.5 per two-bedroom
	2.0 per three-or more bedroom
Accessory Apartment	1 per unit

8. **Lot Coverage** – Lot coverage maximums would be eliminated with this zone change.

9. **Vegetative Coverage** – Vegetative coverage minimums would be reduced from 30% to 15% with a rezone. Lot is currently 100% vegetative coverage.

1. **Lighting** – No lighting is proposed at this time.

10. **Noise** – Not applicable to this application

11. **Flood** – Property is not located within a mapped flood hazard area. Per panel 02110C1531D.

12. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – Property is not located within a mapped hazard area.

13. **Wetlands** – N/A

14. **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 future construction scheduling. No anadromous waterbodies are on the subject parcel, or within 50 feet.

15. **Plat or Covenant Restrictions** –

16. **Traffic** – N/A

17. **Nonconforming situations** – N/A

#### **Building Division**

18. **Building** – Be mindful of fire separation distances. 4 or more units require full design professionals.

19. **Outstanding Permits** – BLD2001-00001 Stockpile of rock for future use.

#### **General Engineering/Public Works**

20. **Engineering/Drainage/Utilities** – No comments at this time.

#### **Fire Marshal**

21. **Fire Items/Access** – No comments at this time.

#### **Other Applicable Agency Review**

22. DOT&PF

#### **List of required applications**

## Pre-Application Conference Final Report

---

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 or Alternative Residential Subdivision 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.

### **Exceptions to Submittal Requirements**

Submittal requirements that 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.

#### Fees for Rezoning

- Zone change: \$600
- Public Notice Sign: \$150, \$100 of which is refundable if the sign is returned by the Monday following the Planning Commission meeting.

#### Fees for Alternative Residential Subdivision

- Preliminary plan application review: \$400 plus \$80 per residential unit
- Final plan review: \$300 plus \$60 per residential unit
- Plus subdivision fees. Subdivision over 13 lots:
  - Preliminary plat: \$110 per lot
  - Final plat: \$70 per lot

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

### **Submit your Completed Application**

You may submit your application(s) online via email to [permits@juneau.gov](mailto:permits@juneau.gov)

OR 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

Web: [www.juneau.org/community-development](http://www.juneau.org/community-development)

Attachments:

Title 49 References:

1. 49.15.920 – Alternative Residential Subdivisions
2. 49.25.300 – Table of Permissible Uses
3. 49.25.400 – Minimum Dimensional Standards
4. 49.75.110 – Rezoning

MAP2009-03 NOD

MAP2009-03 Staff Report

Applications:

DPA – Development Permit Application

AME – Zone Change Application

ARS – Alternative Residential Subdivision Application



**CITY/BOROUGH OF JUNEAU**  
**ALASKA'S CAPITAL CITY**

**PLANNING COMMISSION**  
**NOTICE OF RECOMMENDATION**

Date: October 14, 2009

File No.: MAP2009-00003

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

Application For: Planning Commission Recommendation to the City and Borough Assembly regarding a request to rezone Seven Mile Lot 4 from D-5 to LC.

Legal Description: SEVEN MILE LT 4

Parcel Code No.: 5-B14-0-100-003-1

Hearing Date: October 13, 2009

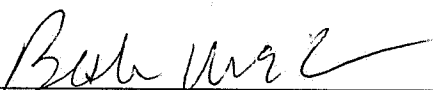
The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 6, 2009, and recommended that the City and Borough Assembly adopt staff's recommendation for immediate zone change from D-5 to D-18. This regulatory map change would modify the current D-5 zone in the designated area to D-18, allowing 18 dwellings per acre, with the following conditions:

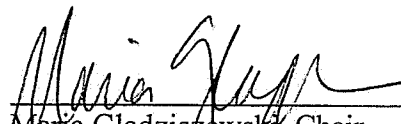
1. Future development of the site will have no more than one access point to the Glacier Highway.

Attachments: October 6, 2009 memorandum from Beth McKibben, Community Development, to the CBJ Planning Commission regarding MAP2009-00003.

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).

Project Planner:

  
Beth McKibben, Planner  
Community Development Department

  
Maria Gladziszewski, Chair  
Planning Commission

  
Filed With City Clerk

10/15/09  
Date

**NOTE:** The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended map change. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

# MEMORANDUM

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

**DATE:** October 6, 2009

**TO:** Planning Commission

**FROM:** Beth McKibben, Planner *BMC*  
Community Development Department

**FILE NO.:** MAP2009-00003

**PROPOSAL:** A Zone change request for Seven Mile Lot 4 from D-5 to LC.

## GENERAL INFORMATION

**Applicant:** Murray Walsh

**Property Owner:** True North Federal Credit Union

**Property Address:** 7170 Glacier Hwy

**Legal Description:** Seven Mile Lot 4

**Parcel Code No.:** 5-B14-0-100-003-1

**Site Size:** 4.03 acres

**Zoning:** D-5

**Utilities:** City water & sewer

**Access:** Glacier Highway

**Existing Land Use:** Vacant

**Surrounding Land Use:** North - Vacant (Mental Health Trust) (D5)  
South - Vacant/Residential/Glacier Highway(D5)  
East - Public Works Facility (LC)  
West - Residential (D5)



CITY/BOROUGH OF JUNEAU  
★ ALASKA'S CAPITAL CITY

### **PROJECT DESCRIPTION**

The applicant is requesting a zone change without any specific development plans for the immediate future. The site is currently zoned D-5. Immediately to the east is the new CBJ public works facility, which is zoned Light Commercial.

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

*The D-5, residential district, is intended to accommodate primarily single-family and duplex residential development at a density of five dwelling units per acre. D-5 zoned lands are located in the urban service boundary and are served or can be served by public water and sewer.*

The applicant proposes that the parcel should be zoned Light Commercial (LC). The CBJ Land Use code describes Light Commercial as follows:

*The LC, light commercial district, is intended to accommodate commercial development that is less intensive than that permitted in the general commercial district. Light commercial districts are primarily located adjacent to existing residential areas. Although many of the uses allowed in this district are also allowed in the GC, general commercial district, they are listed as conditional uses in this district and therefore require commission review to determine compatibility with surrounding land uses. A lower level of intensity of development is also achieved by stringent height and setback restrictions.*

The site is located in Subarea 5 of the 2008 Comprehensive Plan (Map G). The plan shows this lot as MDR, or Medium Density Residential. Page 164 of the 2008 Comprehensive Plan describes MDR as follows:

*These lands are characterized by urban residential lands for multi-family dwelling units at densities ranging from 5 to 20 units per acre. Any commercial development should be of a scale consistent with a residential neighborhood.*

### **BACKGROUND**

The site was zoned R-7 in 1969. R-7 zoning established a low density single family and two family district, with a minimum lot size of 7,000 square feet for a single family home. It was zoned D-5 with ordinance 87-49 in the major revisions completed borough-wide. Plat 2006-62 was recorded in November 2006 subdividing one larger lot into four smaller lots, including this one (attachment A). The lot is currently vacant.

## **ANALYSIS**

### **Zone Change Initiation**

*CBJ §49.75.110. INITIATION. A rezoning may be initiated by the director, the commission or the assembly at any time during the year. A developer or property owner may initiate a request for rezoning in January or July only. Adequate public notice shall be provided by the director to inform the public that a rezoning has been initiated.*

1. Was the proposed zone change initiated by the property owner during the appropriate time frame?

**Yes.** The application for the subject zone change was made on July 31, 2009.

2. Has the director provided adequate public notice through newspaper advertising, property owner mailings and requiring a public notice sign to be posted on-site

**Yes.** The public was notified through newspaper advertising published on October 2, 2009 and October 12, 2009, as well as mailings to owners of all properties within 500 feet of the subject property, and a public notice sign posted on-site for two weeks prior to the Planning Commission hearing on the rezone request.

### **49.70.900-49.70.1097 COASTAL DEVELOPMENT, HABITAT, AND WETLANDS**

There appears to be a small area of category D wetlands on the subject lot. This rezone request does not include any specific development plans. The applicant is advised that prior to development of the lot wetlands delineation by the US Army Corps of Engineers will be required.

### **ALASKA COASTAL MANAGEMENT PROGRAM (ACMP)**

Not applicable. Rezoning does not require a state-coordinated ACMP review.

### **RESTRICTIONS AND PROCEDURE**

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

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

1. The request constitutes an expansion of the existing Light Commercial (LC) zone and is more than 4 acres, which exceeds the minimum lot size of 2 acres for a single lot rezone request.
2. No similar request has been made in the past year.

However, this request does NOT conform in that the request is not consistent with the land use maps of the 2008 Comprehensive Plan. The Comprehensive Plan designates this area as MDR (attachment B); page 164 of the 2008 Comprehensive Plan describes MDR as follows:

*These lands are characterized by urban residential lands for multi-family dwelling units at densities ranging from 5 to 20 units per acre. Any commercial development should be of a scale consistent with a residential neighborhood.*

The area immediately adjacent to the subject parcel is identified as Institutional and Public Use (IPU); page 163 of the 2008 Comprehensive Plan describes IPU as follows:

*Lands that are in public ownership and dedicated for a variety of public uses, such as the University of Alaska Southeast; local, State and Federal government uses; and for such public facilities as community gardens, schools, libraries, fire stations, treatment plants, and public sanitary landfills. Included are potential sites for future boat harbors, schools, parks, farmers markets, publicly supported arts events, permitted arts or food-service kiosks or sales activities, parking facilities may also be accommodated within Transit Corridors. Transit Corridors can be expected to support Affordable Housing, and Transit Oriented Development overlay districts.*

Staff notes the lot adjacent to the requested rezone that is shown as IPU in the Comprehensive Plan is where the CBJ Public Works facility is being constructed. The Public Works site is currently zoned Light Commercial.

Unlike the Land Use Code, the Comprehensive Plan is a guiding document. Chapter 1, Introduction and Background of the Comprehensive Plan contains the following guidance (pg 1):

*To be a meaningful and effective document the Comprehensive Plan must be considered regularly and used by residents, the Planning Commission, and the governing body to guide its decisions and resource allocations and it must be kept current to reflect community values, resources, constraints and opportunities. Discussions related to community growth, redevelopment, capital and social improvements, or budget, must occur in consultation with the Plan. This is not to say that the Plan will be infallible or that it is cast in concrete. It should, however, bring into focus sufficient information and data so that the best possible considered and objective judgments can be made, using the most current data available when the date in the Plan is out of date.*

In Chapter 11, Comprehensive Plan Land Use Maps (pg 159) the following guidance is made in regard to rezoning:

*In considering re-zoning request, the Planning Commission and Assembly should aim to promote the highest and best use of the land under consideration: in some cases, the highest and best use may be increased density or more intensive use of the land; in other cases, the highest and best use may be preservation in an undisturbed state for purposes of habitat preservation, flood control, or providing a buffer between development and areas subject to natural hazards.*

Clearly the land use maps of the Comprehensive Plan are not “cast in concrete” and there is some flexibility in review, and the proposal as presented is an extension of an existing district. However, staff recommends that a rezone to D-18 be considered. Other alternative zoning districts that are consistent with the 2008 Comprehensive Plan maps that could be considered are: D-10-SF, D-10, and D-15. This staff report will evaluate rezoning to D-18 in accordance with the 2008 Comprehensive Plan. Staff will also evaluate rezoning to LC as requested by the applicant.

*CBJ §49.75.130. PROCEDURE. A rezoning shall follow the procedure for a major development permit except for the following:*

- 1) The commission decision for approval shall constitute only a recommendation to the assembly.*

The action by the Planning Commission on a zone change request is different from action on a permit request. Action on a zone change request is discretionary. There is no assumption the zone change will be approved. Specifically, the Planning Commission action is to make a recommendation to the Assembly to change the zoning maps or deny the request.

## **Land Use**

The subject parcel is located on Glacier Highway, adjacent to the Public Works Facility which is zoned Light Commercial. It is currently vacant. To the north is vacant land, zoned D-5 and currently owned by the Alaska Mental Health Trust. To the south is Glacier Highway. There are also three lots between the subject site and Glacier Highway. Two of these lots are vacant, one has a duplex, and they are all zoned D-5 (see Attachment C). Staff has contacted the owners of these three lots to see if they are interested in being included in this proposed rezone. At the time of the writing of this staff report, the owner of Lot 3, where the duplex is located, contacted staff. He would like his lot to be included in the rezone, and his preference would be to have the lot zoned Light Commercial. He further indicated that D-18 would be an acceptable alternative. To the west is single family residential, also zoned D-5.

## **Density**

Current zoning for these lots will allow for 5 units per acre, with 1 dwelling per lot, and a possible maximum of 20 dwelling units. To achieve the maximum density in D-5, the lot would have to be

subdivided, and roads constructed. The staff recommended D-18 zone would allow for up to 18 dwellings per acre, for an increase of 52 dwellings. With D-18 zoning it is easier to achieve maximum density by using multi-family buildings because a subdivision would not be required. All these figures are approximate because of possible variations in development schemes and in the final lot size.

If the lot were zoned Light Commercial the minimum lot size for permissible uses would become 2,000 square feet. Residential uses could be permitted at 18 units per acre, as well as professional offices, clinics, restaurants and a variety of other, non-residential uses.

### **Comprehensive Plan**

The Comprehensive Plan map designation of the subject site is MDR. As discussed above, MDR considers urban residential multi-family uses and small neighborhood scale commercial development options. On page 205 of the 2008 Comprehensive Plan, Subarea 5 is discussed in detail. There is a long list of guidelines and considerations for this subarea. Item 2 states, in part, "provide for additional medium to high density residential development in areas with access to arterial roadways from collector streets."

The Comprehensive Plan offers general guidance for residential development: Policy 10.1 (page 142) states "it is the policy of the CBJ to facilitate availability of sufficient land with adequate public facilities and services for a range of housing types and densities to enable the public and private sectors to provide affordable housing opportunities for all CBJ residents."

Standard Operating Procedure 10.1.SOP2 (page 143) states "Designate sufficient land on the Comprehensive Land Use Maps and zoning maps to provide for a full range of housing types and densities desired by CBJ households. Provide choices in residential neighborhood character such that residents can choose to live in urban, suburban and rural residential settings and neighborhoods."

Policy 10.3 (page 144) states "It is the policy of the CBJ to facilitate residential developments of various types and densities that are appropriately located in relation to site considerations, surrounding lands uses, and capacity of public facilities and transportation systems."

The Comprehensive Plan also offers general guidance for commercial and industrial development: Policy 10.7 (pg 150) states "it is the policy of the CBJ to designate on land use and zoning maps, and to provide services to, sufficient vacant land within the urban service area appropriately located to accommodate future commercial and industrial uses."

Standard operating procedure 10.7.SOP1 (pg 150) states "review local economic indicators and conduct periodic surveys and analysis of the space needs of commercial and industrial sectors in the CBJ and, when appropriate, allocate sufficient land and infrastructure to support the expansion and/or relocation needs of those sectors of the economy."

### **Access**

The site is accessed via Glacier Highway. The applicant's letter suggests that the access road serving the Public Works Facility could serve as the primary access for the site. The 2008 Comprehensive Plan identifies this as a "potential road alignment". However, Joe Buck, Director of Public Works and Mike Scott, Streets Superintendent both clarified that this is not a public right-of-way (Attachments D & E). Further, they indicate that there are no plans to dedicate a right-of-way or upgrade the access road. However, Mike Scott does say that at some point in the past there were some negotiations with the previous property owner to create a shared right-of-way. But negotiations were unsuccessful. Staff recommends as a condition of this rezone that future development of the site have no more than one access point to the Glacier Highway.

### **Traffic**

Carolyn Morehouse, with AKDOT shared some concerns with the potential development of a high volume traffic business, and potential impacts to Glacier Highway (Attachment F). This is an important consideration if Light Commercial is considered. However, the requirement of limiting future development to no more than one access to the Glacier Highway would alleviate some of the traffic concerns whether the site is zoned Light Commercial or D-18. There is also potential that future development of the site could require a Traffic Impact Study. At this point there are no firm development plans for the site.

### **Public Comments**

At the time of the writing of this staff report staff received an email (Attachment G) from Timothy Spernak, Senior Resource Manager for the Land Trust Office. The Land Trust Office represents the Alaska Mental Health Trust Authority (AMHT). AMHT is an adjacent property owner. AMHT objects to the rezoning request from D-5 to Light Commercial as it is not so identified in the Comprehensive Plan.

### **Summary**

The requested rezone to Light Commercial is not consistent with the Comprehensive Plan. However, Light Commercial could be approved as it would be a boundary adjustment of an adjacent zoning district. Staff recommends rezoning to D-18 because this is the maximum density zoning that conforms to the recommendations and maps of the 2008 Comprehensive Plan.

### **FINDINGS**

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

1. The request meets the submittal requirements and the rezoning initiation, zone change restrictions and procedural requirements of the CBJ Land Use Code.
2. D-18 zoning does not violate the Land Use maps of the Comprehensive Plan and is consistent with Map G.
3. The rezoning is larger than 2 acres.

### **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission adopt the Director's analysis and findings and recommend the Assembly approve the rezone the subject parcel from D-5 to D-18 with the following condition:

1. Future development of the site will have no more than one access point to the Glacier Highway.

### **ATTACHMENTS**

- A - Plat 2006-62
- B - Map G, 2008 Comprehensive Plan
- C - Map showing current zoning and location of requested rezone
- D - Email from Joe Buck, Public Works Director
- E - Email from Mike Scott, Streets Superintendent
- F - Email from Carolyn Moorehouse, AKDOT Engineer
- G - Email from Timothy Spernak, AMHT

# DEVELOPMENT PERMIT APPLICATION

(APPLICANT - PLEASE FILL IN THE PROJECT/APPLICANT INFORMATION)

Project Number <b>PR309-129</b>	<b>CITY and BOROUGH of JUNEAU</b>	Date Received: <b>7-31-09</b>
Project Name (City Staff to assign name) <b>Sevenmile L4 Rezone</b>		
Project Description <b>Rezone the subject parcel to Light Commercial from D-5</b>		
<b>PROPERTY LOCATION</b>		
Street Address <b>7170 Glacier Highway</b>	City / Zip <b>Juneau, 99801</b>	
Subdivision (if known) <b>Seven Mile L4. USS 2476</b>	Survey (if known)	Block / Tract (if known) Lot (if known)
Assessor's Parcel Number (if known) <b>5B1401000031</b>		
<b>LANDOWNER/LESSEE</b>		
Property Owner's Name <b>True North Federal Credit Union</b>	<input checked="" type="checkbox"/> Contact by E-Mail: <b>lmacvay@truenorthfcu.org</b>	Contact Person <b>Lauren MacVay</b>
Mailing Address <b>PO Box 034157, Juneau, AK 998093</b>		Work Phone No. <b>523-4720</b>
		Home Phone No. <b>586-8078</b>
<b>LANDOWNER/LESSEE CONSENT</b> (Required for Planning permits not needed on Building/Engineer permits)		<b>INITIAL ALL THAT MAY APPLY</b>
I am (we are) the owner(s) or Lessee of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application. <b>[Signature]</b> Date <b>7-30-09</b> <b>X</b> 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 and may do so during the weekend before the scheduled public hearing date.		APPLICATION TYPE OWNER'S INITIALS ALLOWABLE USE CONDITIONAL USE VARIANCE DESIGN REVIEW SUBDIVISION OTHER: <b>RE-ZONE</b>
<b>APPLICANT</b> (If same as OWNER, write "SAME" and sign and date at X below)		
Applicant's Name <b>True North FCU, Walsh Services, Agent</b>	<input checked="" type="checkbox"/> Contact by E-Mail: <b>murray@acsalaska.net</b>	Contact Person <b>Murray Walsh</b>
Mailing Address <b>2974 Foster Ave., Juneau, AK 99801</b>		Work Phone No. <b>586-4083</b>
		Home Phone No. <b>586-1106</b>
<b>[Signature]</b> Applicant's Signature		<b>X July 31, 2009</b> Date of Application

STAFF APPROVALS				(OFFICE USE ONLY BELOW THIS LINE)			
C K	PERMIT TYPE	DATE RECEIVED	APPLICATION NO.	C K	PERMIT TYPE	DATE RECEIVED	APPLICATION NO.
	ALLOWABLE USE APPROVAL				WATER PERMIT		
	CONDITIONAL USE APPROVAL				SEWER PERMIT		
	VARIANCE				GRADING PERMIT		
	DESIGN REVIEW APPROVAL				DRIVEWAY PERMIT		
	SUBDIVISION				RIGHT-OF-WAY PERMIT		
	STREET VACATION				PUB. FAC. TRANSMISS. & EXCAV. PERMIT		
	SIGN APPROVAL				OTHER (Describe)		
	BUILDING PERMIT						
Zone		Total Lot Area	Required Setbacks		Permit Intake Initials		
			Front Back Side Other				
COMMENTS:							

NOTE: DEVELOPMENT PERMIT APPLICATION FORM MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS

# ZONE CHANGE APPLICATION

(APPLICANT PLEASE FILL IN SHADED AREAS AS A MINIMUM)

Project Number <b>PR2009-129</b>	Project Name <b>SEVEN MILE LT 4</b>	Case Number <b>R2zone MAP09-3</b>	Hearing Date	Date Received <b>7-31-09</b>																																										
NEW ZONE REQUESTED: <u>Light Commercial</u>																																														
DESCRIBE LIMITS OF AREA TO BE REZONED: Parcel <b>5B1401000031</b> , containing  175,620 square feet.																																														
TYPE OF ZONE CHANGE: <input checked="" type="checkbox"/> Regular <input type="checkbox"/> Transition																																														
PURPOSE OF THE REQUESTED ZONE CHANGE:  See attached narrative.																																														
TYPE AND DENSITY OF PROPOSED DEVELOPMENT:  None proposed at this time.																																														
DESCRIBE IMPACTS TO ROADS AND ANY ADDITIONAL ROADS PROPOSED:  See attached narrative.																																														
UTILITIES AVAILABLE      WATER: <input checked="" type="checkbox"/> Public <input type="checkbox"/> On Site      SEWER: <input checked="" type="checkbox"/> Public <input type="checkbox"/> On Site																																														
DIMENSIONS OF SITE: Width _____ ft. Depth _____ ft.      Square Feet _____																																														
REVIEW APPROVALS  <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;"></th> <th style="width: 20%; text-align: center; font-size: small;">Initials</th> <th style="width: 20%; text-align: center; font-size: small;">Date</th> </tr> </thead> <tbody> <tr> <td>Buildings</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Engineering</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Planning</td> <td>_____</td> <td>_____</td> </tr> </tbody> </table>			Initials	Date	Buildings	_____	_____	Engineering	_____	_____	Planning	_____	_____	ZONE CHANGE FEES  <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"></th> <th style="width: 15%; text-align: center; font-size: small;">Fees</th> <th style="width: 15%; text-align: center; font-size: small;">Check No.</th> <th style="width: 15%; text-align: center; font-size: small;">Receipt</th> <th style="width: 25%; text-align: center; font-size: small;">Date</th> </tr> </thead> <tbody> <tr> <td>Application Fees</td> <td style="text-align: center;">\$ <b>500.00</b></td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Adjustment</td> <td style="text-align: center;">\$ _____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Public-Notice Sign</td> <td style="text-align: center;">\$ <b>50.00</b></td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Public Notice Sign Deposit</td> <td style="text-align: center;">\$ <b>100.00</b></td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Total Fee</td> <td style="text-align: center;">\$ <b>650.00</b></td> <td style="text-align: center;"><b>VD2569D</b></td> <td style="text-align: center;"><b>28/01</b></td> <td style="text-align: center;"><b>7-31-09</b></td> </tr> </tbody> </table>				Fees	Check No.	Receipt	Date	Application Fees	\$ <b>500.00</b>	_____	_____	_____	Adjustment	\$ _____	_____	_____	_____	Public-Notice Sign	\$ <b>50.00</b>	_____	_____	_____	Public Notice Sign Deposit	\$ <b>100.00</b>	_____	_____	_____	Total Fee	\$ <b>650.00</b>	<b>VD2569D</b>	<b>28/01</b>	<b>7-31-09</b>
	Initials	Date																																												
Buildings	_____	_____																																												
Engineering	_____	_____																																												
Planning	_____	_____																																												
	Fees	Check No.	Receipt	Date																																										
Application Fees	\$ <b>500.00</b>	_____	_____	_____																																										
Adjustment	\$ _____	_____	_____	_____																																										
Public-Notice Sign	\$ <b>50.00</b>	_____	_____	_____																																										
Public Notice Sign Deposit	\$ <b>100.00</b>	_____	_____	_____																																										
Total Fee	\$ <b>650.00</b>	<b>VD2569D</b>	<b>28/01</b>	<b>7-31-09</b>																																										

devappzc.xls 1/30/97

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

RECEIVED

JUL 31 2009

**Narrative for Zone Change Request for Seven Mile, Lot 4  
Parcel Number 5B1401000031**

**July 31, 2009**

**General**

The subject parcel is now zoned D-5. It consists largely of forested wetlands and a portion of land adjacent to the roadway that has been affected by development of adjoining parcels. The eastern boundary of the parcel adjoins an area presently zoned LC and which is now under development by the CBJ. A new general shop is being built for the Public Works Department. There is a road, evidently built to CBJ street standards, that runs along the eastern boundary of the target parcel.

There is very little un-built commercial property in Juneau and virtually no parcels as large as this one. The presence of forested wetlands on the majority of the parcel means that any development proposal will require a permit from the Corps of Engineers and obtaining such a permit will require preservation of a substantial portion of those wetlands or some other form of mitigation that would be very difficult for individual home builders to provide if the parcel is subdivided for residential use.

**Traffic**

The first aspect to consider is that general access to the property could be provided via the access road to the new Public Works Facility if that road is designated as a city street – something we understand that the Public Works Department wants to do. Thus, all commercial traffic would enter and exit the property by that new street rather than directly on to Glacier Highway. This is seen as preferable.

The next aspect is to compare traffic generation. If the property was developed in residential use, it could host up to 34 dwelling units if developed in duplexes or zero-lot attached homes. Each dwelling unit, according to local and national trip generation observations, will generate seven trips per day or 238 for the development as a whole. This is the total of trips in and out. There is no way to forecast what a commercial development will generate without knowing what kind of commercial development is eventually proposed.

A furniture store generates very little traffic (6 trips per 1000 square feet per day) while a convenience store or carwash generates a great deal of traffic. The CBJ code provides for Traffic Impact Analyses at the time a specific commercial development is proposed and the developer is required to address traffic impacts that are found to be problematic. In this instance, the developer might be required to install a traffic signal at the intersection of Glacier Highway and the un-named access street.

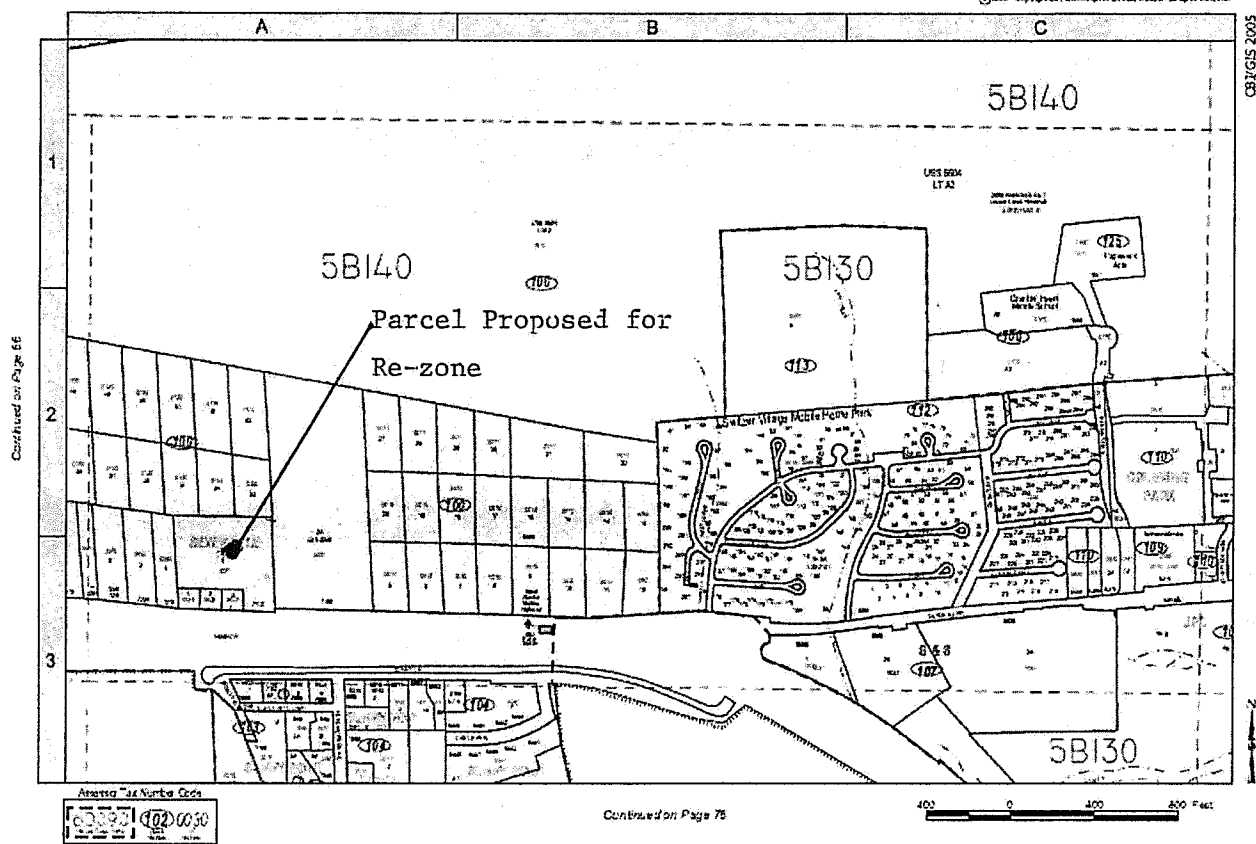
## Buffering

There is no buffering between the new city shop and the target parcel as zoned today. Residential development would be affected by the 24/7 operations expected at the shop. This rezone request is an opportunity to provide buffering between commercial and residential uses. The target parcel had three residential lots subdivided from it a few years ago. No provision for buffering was included in that subdivision. Now, however, the applicant is willing to provide a definite buffer of vegetation and perhaps a berm to protect those three lots and the residential area to the west and make such a requirement a permanent obligation on the parcel. A more specific buffering provision can be designed and applied at the time a specific commercial development is proposed, but the *obligation* to impose such a requirement can be imposed as a part of this rezone request.

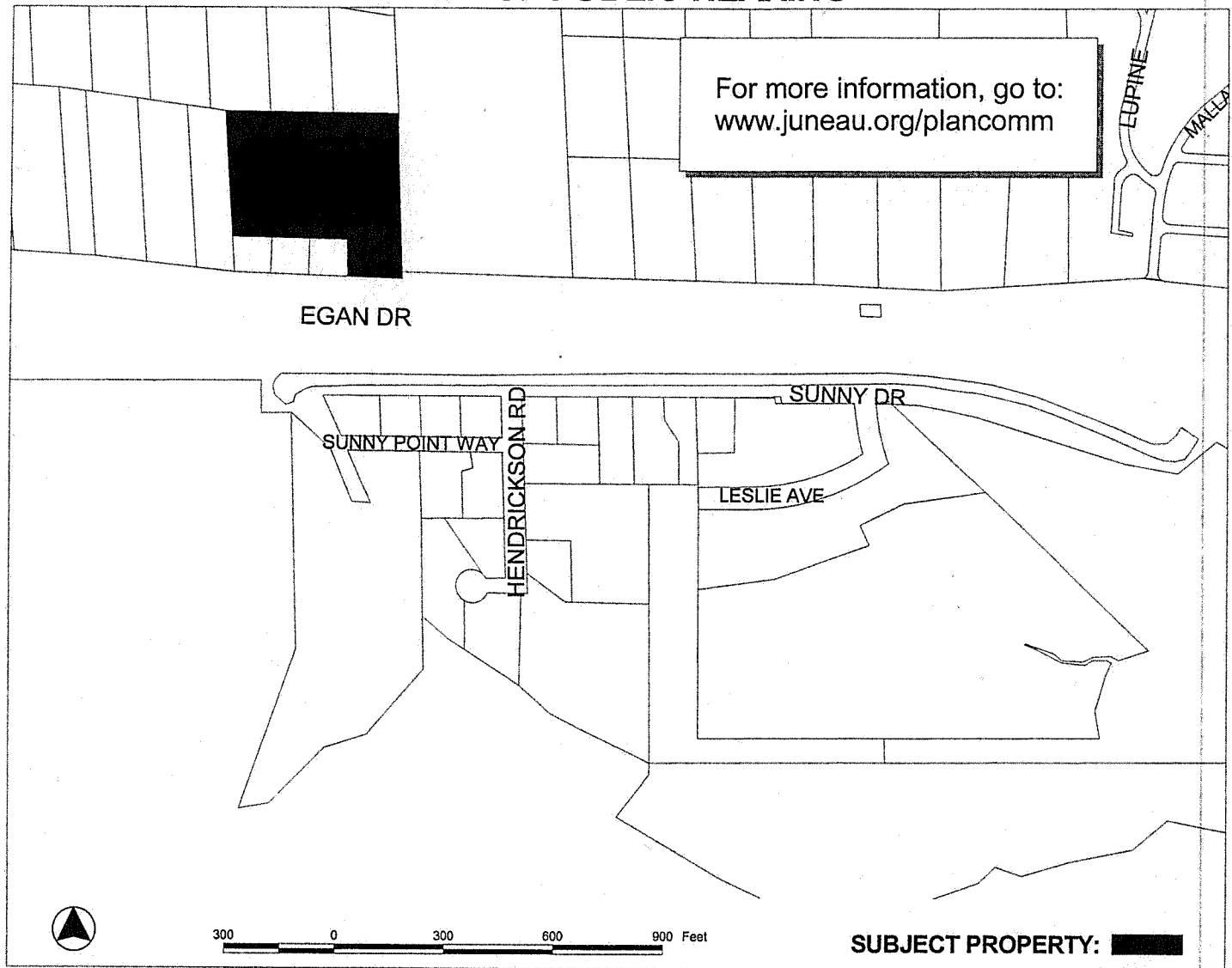
RECEIVED  
JUL 8 2009

JUL 2 2009

67



# NOTICE OF PUBLIC HEARING



**SUBJECT PROPERTY:** [REDACTED]

**PROPOSAL:** A Zone change request for SEVEN MILE LT 4 from D-5 to LC, and other zones may be considered.

<b>FILE NO:</b>	MAP2009-00003	<b>APPLICANT:</b>	MURRAY WALSH
<b>TO:</b>	Adjacent Property Owners	<b>PROPERTY OWNER:</b>	TRUE NORTH FCU
<b>HEARING DATE:</b>	September 22, 2009	<b>PROPERTY ADDRESS:</b>	7170 GLACIER HWY
<b>HEARING TIME:</b>	7:00 P.M.	<b>PARCEL CODE NUMBER:</b>	5-B14-0-100-003-1
<b>PLACE:</b>	<b>ASSEMBLY CHAMBERS</b> Municipal Bldg. 155 South Seward St., Juneau, Alaska 99801	<b>SITE SIZE:</b>	4.03 acres
		<b>ZONING:</b>	D5
		<b>ACCESS:</b>	GLACIER HWY

## PROPERTY OWNERS PLEASE NOTE:

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department no later than 5:00 P.M. on Monday, the week preceding the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a few days before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

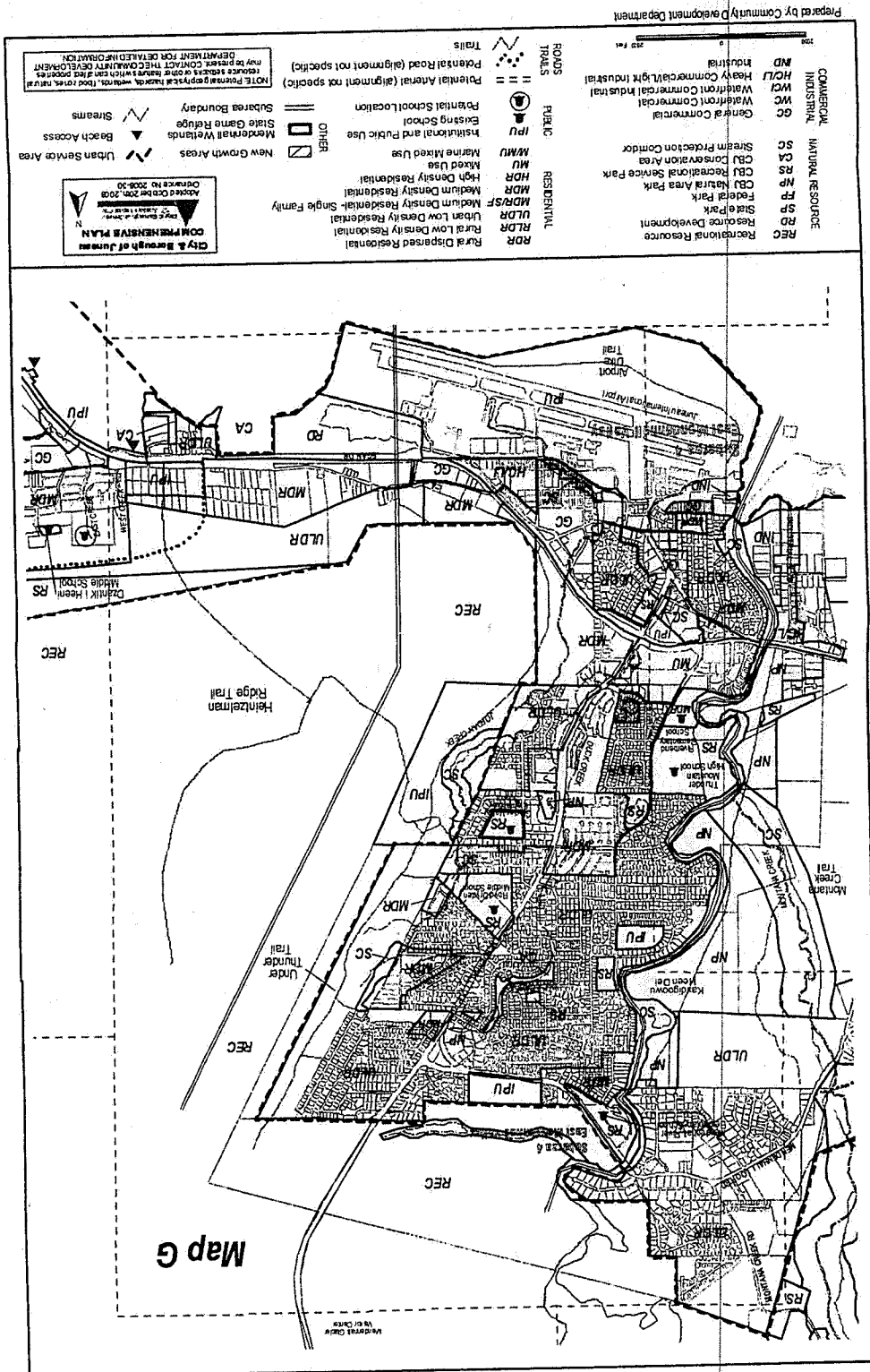
If you have questions, please contact Beth McKibben at (907)-586-0736 or e-mail: [beth\\_mckibben@ci.juneau.ak.us](mailto:beth_mckibben@ci.juneau.ak.us)

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



# ATTACHMENT B

Map G



**ATTACHMENT C**



**Beth McKibben**

**From:** Joe Buck  
**Sent:** Thursday, September 03, 2009 4:26 PM  
**To:** Mike Scott; Beth McKibben; Brad Flynn, USFS ; Carolyn Morehouse; Chris Meade; Dan Jager; Debra Purves; Eric Eriksen, AEL&P; Fred Thorsteinson, DOT; Greg Browning; Heather Holman, JCVB; Jackie Timothy, DNR; Joe Myers; John Leeds, Army Corps of Engineers; Marc Matsil; Mike Eberhardt, DNR; Monty Williams, ACS; Peggy Cowan, CBJ School District; Richard Enriquez, US Fish & Wildlife; Sally Wanstall, DEC; Scott Jeffers; Steve Brockmann, US Fish & Wildlife; Susan Walker, NOAA; Ted Anderson; Tom Lawson, Division Director; Tom Trego; William Groom  
**Subject:** RE: Review Requested MAP2009-0003

Mike makes a very good point. The driveway to the new shop is not a public street or right-of-way – it is a portion of the new Street & Fleet Maintenance Shop Facility.

There are no plans to provide access or utilities from the shop facility to adjacent properties.

Joe

---

**From:** Mike Scott  
**Sent:** Thursday, September 03, 2009 1:34 PM  
**To:** Beth McKibben; Brad Flynn, USFS ; Carolyn Morehouse; Chris Meade; Dan Jager; Debra Purves; Eric Eriksen, AEL&P; Fred Thorsteinson, DOT; Greg Browning; Heather Holman, JCVB; Jackie Timothy, DNR; Joe Buck; Joe Myers; John Leeds, Army Corps of Engineers; Marc Matsil; Mike Eberhardt, DNR; Monty Williams, ACS; Peggy Cowan, CBJ School District; Richard Enriquez, US Fish & Wildlife; Sally Wanstall, DEC; Scott Jeffers; Steve Brockmann, US Fish & Wildlife; Susan Walker, NOAA; Ted Anderson; Tom Lawson, Division Director; Tom Trego; William Groom  
**Subject:** RE: Review Requested MAP2009-0003

While I am not opposing or supporting the proposed zone change I will clear up some confusion regarding the "general" and "traffic" statements as put forth.

There is no road access to the new City Shop. It is a driveway as constructed with no plans at this point to upgrade it to a standard city street. It is not currently designed to meet the needs of the adjoining property. Negotiations with the previous property owner and other affected properties were unsuccessful in creating a shared ROW that would have served both properties and provided future access for the other locations.

Mike Scott

---

**From:** Beth McKibben  
**Sent:** Thursday, September 03, 2009 11:42 AM  
**To:** Brad Flynn, USFS ; Carolyn Morehouse; Chris Meade; Dan Jager; Debra Purves; Eric Eriksen, AEL&P; Fred Thorsteinson, DOT; Greg Browning; Heather Holman, JCVB; Jackie Timothy, DNR; Joe Buck; Joe Myers; John Leeds, Army Corps of Engineers; Marc Matsil; Mike Eberhardt, DNR; Mike Scott; Monty Williams, ACS; Peggy Cowan, CBJ School District; Richard Enriquez, US Fish & Wildlife; Sally Wanstall, DEC; Scott Jeffers; Steve Brockmann, US Fish & Wildlife; Susan Walker, NOAA; Ted Anderson; Tom Lawson, Division Director; Tom Trego; William Groom  
**Subject:** Review Requested MAP2009-0003

Applicant seeks to rezone one 4.03 parcel from D-5 to Light Commercial

Beth McKibben

9/8/2009

**ATTACHMENT D**

**Beth McKibben****From:** Mike Scott**Sent:** Thursday, September 03, 2009 1:34 PM**To:** Beth McKibben; Brad Flynn, USFS ; Carolyn Morehouse; Chris Meade; Dan Jager; Debra Purves; Eric Eriksen, AEL&P; Fred Thorsteinson, DOT; Greg Browning; Heather Holman, JCVB; Jackie Timothy, DNR; Joe Buck; Joe Myers; John Leeds, Army Corps of Engineers; Marc Matsil; Mike Eberhardt, DNR; Monty Williams, ACS; Peggy Cowan, CBJ School District; Richard Enriquez, US Fish & Wildlife; Sally Wanstall, DEC; Scott Jeffers; Steve Brockmann, US Fish & Wildlife; Susan Walker, NOAA; Ted Anderson; Tom Lawson, Division Director; Tom Trego; William Groom**Subject:** RE: Review Requested MAP2009-0003

While I am not opposing or supporting the proposed zone change I will clear up some confusion regarding the "general" and "traffic" statements as put forth.

There is no road access to the new City Shop. It is a driveway as constructed with no plans at this point to upgrade it to a standard city street. It is not currently designed to meet the needs of the adjoining property. Negotiations with the previous property owner and other affected properties were unsuccessful in creating a shared ROW that would have served both properties and provided future access for the other locations.

Mike Scott

**From:** Beth McKibben**Sent:** Thursday, September 03, 2009 11:42 AM**To:** Brad Flynn, USFS ; Carolyn Morehouse; Chris Meade; Dan Jager; Debra Purves; Eric Eriksen, AEL&P; Fred Thorsteinson, DOT; Greg Browning; Heather Holman, JCVB; Jackie Timothy, DNR; Joe Buck; Joe Myers; John Leeds, Army Corps of Engineers; Marc Matsil; Mike Eberhardt, DNR; Mike Scott; Monty Williams, ACS; Peggy Cowan, CBJ School District; Richard Enriquez, US Fish & Wildlife; Sally Wanstall, DEC; Scott Jeffers; Steve Brockmann, US Fish & Wildlife; Susan Walker, NOAA; Ted Anderson; Tom Lawson, Division Director; Tom Trego; William Groom**Subject:** Review Requested MAP2009-0003

Applicant seeks to rezone one 4.03 parcel from D-5 to Light Commercial

Beth McKibben  
Senior Planner, CDD  
City & Borough of Juneau  
(907)586-0465 phone  
(907)5863365 FAX

**Beth McKibben**

**From:** Morehouse, Carolyn H (DOT) [carolyn.morehouse@alaska.gov]  
**Sent:** Thursday, September 03, 2009 1:10 PM  
**To:** Beth McKibben  
**Cc:** Epstein, David B (DOT)  
**Subject:** RE: Review Requested MAP2009-0003

It is unfortunate that those three parcels were split off from a larger one. That was a good opportunity for a city street with multiple residences off it.

Traffic wise there needs to be some zoning to limit the types of businesses. Concrete Way is a perfect example of a development that was supposed to be low volume traffic (light retail). The first business was a convenient store. If a condition could be placed to limit high volume traffic business that would help but I am not sure the City can do that.

Thanks for the opportunity to comment.

**From:** Beth McKibben [mailto:Beth\_McKibben@ci.juneau.ak.us]  
**Sent:** Thursday, September 03, 2009 11:42 AM  
**To:** Brad Flynn, USFS ; Morehouse, Carolyn H (DOT); Chris Meade; Dan Jager; Debra Purves; Eric Eriksen, AEL&P; Thorsteinson, Fredrik J (DOT); Greg Browning; Heather Holman, JCVB; Timothy, Jackie L (DFG); Joe Buck; Joe Myers; John Leeds, Army Corps of Engineers; Marc Matsil; Eberhardt, Michael W (DNR); Mike Scott; Monty Williams, ACS; Peggy Cowan, CBJ School District; Richard Enriquez, US Fish & Wildlife; Wanstall, Sally S (DEC); Scott Jeffers; Steve Brockmann, US Fish & Wildlife; Susan Walker, NOAA; Ted Anderson; Lawson, Thomas W (DFG); Tom Trego; Groom, William M (DNR)  
**Subject:** Review Requested MAP2009-0003

Applicant seeks to rezone one 4.03 parcel from D-5 to Light Commercial

Beth McKibben  
 Senior Planner, CDD  
 City & Borough of Juneau  
 (907)586-0465 phone  
 (907)5863365 FAX

## Beth McKibben

**From:** Spernak, Timothy J (DNR) [timothy.spernak@alaska.gov]  
**Sent:** Tuesday, September 22, 2009 3:09 PM  
**To:** Beth McKibben  
**Cc:** Menefee, Marcia M (DNR)  
**Subject:** my contact information

Beth,

Good to speak to you earlier in the day regarding the credit union's rezone and CBJ's Public Notice.

The Trust Land Office, as representative of the Alaska Mental Health Trust Authority, objects to the rezoning request of True North Federal Credit Union from D-5 to Light Commercial (LC): as that zoning classification is not a permitted principle use in the CBJ comprehensive plan for that area.

I look forward to reviewing the Staff Packet and hope to have that analysis sent to me before the scheduled Public Hearing of October 13, 2009.

Again, thank you for the Public Notice and I look forward to speaking to you again in the near future,

Tim Spernak

Timothy J. Spernak  
Senior Resource Manager  
Trust Land Office  
718 "L" Street, Suite 202  
Anchorage, Alaska 99501  
Tel: (907) 269-8688  
Fax: (907) 269-8905  
E-Mail: timothy.spernak@alaska.gov

9/23/2009

**ATTACHMENT G**