

MEMORANDUM

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

DATE: September 19, 2013
TO: Planning Commission
FROM: Beth McKibben, Planner *bm*
Community Development Department
FILE NO.: AME2013 0006
PROPOSAL: A request for a zone change from D-10 to LC

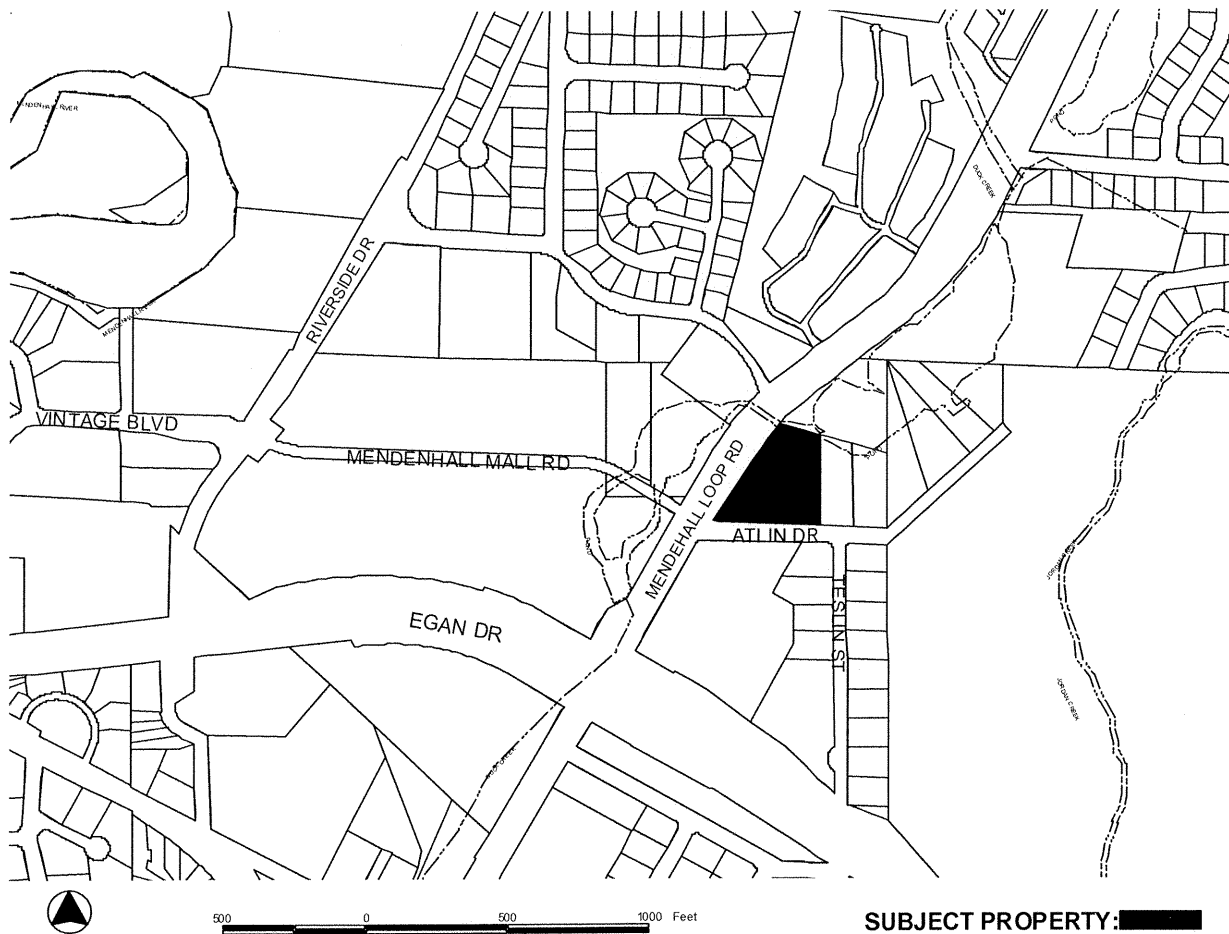
GENERAL INFORMATION

Applicant: Richard Harris
Property Owner: Richard Harris
Property Address: 9050 Atlin Drive or 2600 Mendenhall Loop Road
Legal Description: USS 381 FR
Parcel Code No.: 5-B16-0-137-001-0
Site Size: 2.68 Acres
Zoning: D-10
Utilities: City Water & Sewer
Access: Atlin Drive and Mendenhall Loop Road
Existing Land Use: Vacant
Surrounding Land Use:
North - D-10 single family/duplex
South - D-10 single family/church
East - D-10 single family/gravel extraction
West - Mendenhall Loop Road



CITY/BOROUGH OF JUNEAU
★ ALASKA'S CAPITAL CITY

VICINTIY MAP



ATTACHMENTS

- A - Comprehensive Plan Map G
- B - Zoning Map
- C - Email from Shawn Miller

PROJECT DESCRIPTION

The applicant is requesting a zone change to Light Commercial (LC). At the May 2013 neighborhood meeting, the applicant indicated that he plans to develop the site as mixed residential/commercial development. The site is currently zoned D-10.

BACKGROUND

This 2.68 acre site is located at the corner of Atlin Drive and Mendenhall Loop Road. The existing driveway accesses Atlin Drive. The area to the north of the site is vacant, to the east are primarily single family homes, to the south is the Saint Paul church and more single family homes. Mendenhall Loop Road is to the west and beyond that is Mendenhall Mall complex. The Jehovah's Witness Church is also accessed via Atlin Drive.

The site is currently being used for storage. There are two WWII Quonset huts and some small out buildings. None of the structures are useable. A portion of the lot may be subject to the 50-foot stream side setback from Duck Creek. The ADF&G anadromous fish stream maps show Duck Creek crossing to the west side of Mendenhall Loop Road north of this site. In 2011, during review of the rezone application ADF&G staff volunteered to walk the site to verify whether or not any portion of Duck Creek is located on the lot. As far as staff knows this site visit has not occurred.

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-10 with ordinance 87-49 in the major revisions completed borough-wide.

In 1988 the USFS received a Variance to widen the Mendenhall Loop Road right-of-way. The Variance was from survey, monumentation, and plat submittal requirements. In 1996 a Conditional Use Permit was granted for a fisheries enhancement project to abate pollution and enhance fish production in Duck Creek. In 2011, the applicant applied to change the zoning from D-10 to Light Commercial. The Planning Commission recommended against this zone change as it was inconsistent with the maps of the comprehensive plan. At the time rezoning could not allow uses which violate the land use maps of the Comprehensive Plan per CBJ 49.75.120, Restrictions on Rezoning. Initially the Assembly approved the rezone request, but on the advice of the City Attorney that decision was reversed and the zone change was not approved. Since that time CBJ 49.75.120 has been amended as follows:

"A rezoning shall only be approved upon a finding that the proposed zoning district and the uses allowed therein are in substantial conformance with the land use maps of the comprehensive plan." (emphasis added)

In 2012 the applicant received a Conditional Use Permit (USE2012 0010) for 22 residential units. He has not started work and has indicated that he does not believe this is a cost-effective development. If substantial work has not started within 18 months of the approval date of that Conditional Use Permit it will expire. An 18 month extension can be granted if applied for at least 30 days before the expiration date.

In January 2013, the applicant submitted an application for a Comprehensive Plan Map Amendment and simultaneous rezone. The Map Amendment was scheduled for consideration by the Planning Commission in July 2013. Due to procedural concerns, the Map Amendment

was continued by the Planning Commission. The applicant requested that we move forward with the rezone request without the map amendment.

On May 30, 2013, CDD staff hosted a neighborhood meeting to discuss the Map Amendment request. At this meeting staff explained the process for amending the map and answered questions about how the Comprehensive Plan land use maps affect the zoning maps. The applicant also attended the meeting and answered questions. In general, most of the questions asked of the applicant were related to his development plans. Staff notes that if the lot is rezoned to Light Commercial (which is the goal of the applicant) any land use in the Table of Permissible Uses allowed in the zoning district could be permitted. Although understanding the applicant's development plans is helpful to the neighborhood, there is no mechanism that CBJ can use to guarantee, or require, that the site be developed in such a manner.

A neighborhood meeting with the owners of property within 500 feet of the requested rezone was also held on March 24, 2011. A neighborhood meeting was not held prior to bringing forward this rezone request as staff believes that after two similar meetings the neighbors have a good understanding of the process and how the applicant intends to develop the site. There is no requirement in Title 49 to hold neighborhood meetings prior to presenting rezone requests to the Planning Commission.

Since the rezone was considered in 2011 an amendment to Title 49 affects this request. In 2011 the Light Commercial zone allowed for residential development at a density of 18 units per acre, the same density as the D-18 zoning district. The Title 49 amendment now allows for additional density in the LC zone at 30 units per acre. Density was also other districts, for example the density in the General Commercial (GC) zoning district was increased from 18 units per acre to 50 units an acre. One of the primary reasons for this increase in density was to promote compact, in-fill development of mixed uses and higher residential densities

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 January 30, 2013.

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 September 13, 2013 and September 23, 2013, 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.

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.

(2) As soon as possible after the commission's recommendation, the assembly shall provide public notice and hold a public hearing on the proposed rezoning. A rezoning 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 changed in accordance therewith.

(3) The commission decision for denial shall constitute a final agency decision on the matter which will not be presented to the assembly unless it is appealed to the assembly in accordance with CBJ 49.20.120.

49.70.900-49.70.1097 COASTAL DEVELOPMENT, HABITAT, AND WETLANDS

The Juneau Wetland inventory shows an area of low value wetlands in the vicinity of the north property line of this site. This rezone request does not include any specific development plans. According to the anadromous fish stream maps of ADF&G, it appears that Duck Creek crosses Mendenhall Loop Road north of the site. A portion of the creek maybe located at the northern end of the site.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

*CBJ 49.75.120, Restrictions on Rezoning*s was recently amended to read, in part “A rezoning shall only be approved upon a finding that the proposed zoning district and the uses allowed therein are in substantial conformance with the land use maps of the comprehensive plan.” (emphasis added). Prior to this amendment rezoning could not allow uses which violate the land use maps of the comprehensive plan. The new language provides flexibility in review of rezoning and the maps of the comprehensive plan.

“Substantial” is commonly defined as: essentially, without material qualifications, in the main, in substance, materially, in a substantial manner.

In Chapter 11, Comprehensive Plan Land Use Maps 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.

Chapter 1 of the Comprehensive Plan further supports the flexibility of the plan, but emphasizes that it should be used when considering community growth, along with other current information.

When considering this request it is important to understand what the Comprehensive Plan intends when describing land use designations. The plan states the designations are intended to describe the overall character of development for each land use category and are not intended to be firm or restrictive definitions, such as with zoning district permitted and Conditional Uses. The designations are to be used to guide the formation of zoning regulations. The land use designations and their allowed uses reflect cultural values and economic and societal needs, and over time, the Comprehensive Plan descriptions of land use categories will change to reflect changing values and circumstances. The Comprehensive Plan Map for this area is shown on Attachment A.

The site is located in Subarea 4 of the 2008 Comprehensive Plan (map G). The plan shows this lot as MDR (Medium Density Residential). 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.

As discussed above, MDR considers urban residential multi family uses and small neighborhood scale commercial development options. Subarea 4 is discussed in detail in the Plan and includes a long list of guidelines and considerations for this subarea. Guidelines 1 and 2 are relevant to this parcel and the request for a rezone to Light Commercial. Guideline 1 states:

“Maintain the density of existing neighborhoods while encouraging in-fill development of low-to moderate-income housing.”

Guideline 2 states:

“Provide for increased community commercial development close to existing commercial areas in the lower valley.”

Furthermore, the guidelines and considerations for Subarea 4 also refer to Duck Creek as an impaired waterbody listed by DEC. The plan recommends careful review of future development proposals that could affect Duck Creek. Guideline 15 recommends development in the vicinity of Duck Creek be coordinated with DEC to ensure development meets the guidelines of the creek restoration plan.

Guideline 8 states:

“Expand the Mixed Use District in the Mendenhall Mall vicinity that would incorporate general commercial uses, high density residential use and public transit services. Make the most efficient use of parking by incorporating housing over a garage with retail shops wrapping around the ground floor. Student or senior housing within the Mall or over the garage should not be required to provide parking.”

From this discussion it is unclear to staff what the Mendenhall Mall vicinity means. However, using Map G in considering this guideline, one can see that MU area includes more than just the mall site, and the MU designation does not cross Mendenhall Loop Road. The Plan describes MU as:

“These lands are characterized by high density residential and non-residential land uses in the Downtown area and around shopping centers, the University, major employment centers and public transit corridors, as well as other areas suitable for a mixture of retail, office, general commercial, and high density residential uses at densities ranging from 18 to 60 residential units per acre. Residential and non-residential uses could be combined within a single structure, including off-street parking. Ground floor retail space facing roads with parking behind the retail and housing above would be an appropriate and efficient use of the land.”

The Comprehensive Plan also offers general guidance for residential development: Policy 10.1 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 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 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 Plan states that a major concern expressed by residents of the CBJ is the need to protect the character of existing neighborhoods from incompatible uses. The Plan further states that the primary concern is to minimize the intrusion of heavy traffic on neighborhood streets and avoid conflicts related to parking congestion, noise, glare, loss of privacy and other factors associated with higher uses.

Policy 10.4 states “It is the policy of the CBJ to minimize conflicts between residential areas and nearby recreational, commercial, or industrial uses that would generate adverse impacts to existing residential areas through appropriate land use locational decisions and regulatory measures.”

Standard Operating Procedure 10.5.SOP4 states “Encourage location and design of small-scale commercial developments that provide convenient shopping and personal services within or near residential neighborhoods. The building and parking siting and design should encourage mitigation of noise, light and glare, odor and litter impacts to adjacent residential neighborhoods. Any neighborhood-commercial development should be accessible via improved pedestrian and bicycle routes and should provide secure and dry bicycle racks.”

The Comprehensive Plan also offers general guidance for commercial and industrial development: Policy 10.7 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 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.”

It is important to note that the Comprehensive Plan also specifically addresses “neighborhood commercial uses”. The Plan states that the Land Use Code contains specific provisions to allow small scale commercial retail establishments to be located in residential areas. When reviewing the Table of Permissible Uses one will see that there are number of non-residential uses allowed in the various residential zoning districts, and that the size and intensity of the permitted commercial uses increases as the density of the residential zone increases. The applicant has indicated that commercial activities permitted in the current D10 zoning district do not meet his development needs. D18 zoning is consistent with the MDR Comprehensive Plan map designation and allows a greater range of non-residential uses than D10 does. However, the applicant has indicated that the D18 zoning district does not offer the range of non-commercial uses required to meet his needs, hence the request for Light Commercial zoning. Residential density in the LC zoning district is now beyond the 5-20 units per acre described in the MDR

land use designation of the Comprehensive Plan. The current zoning for this area is shown on Attachment B.

LAND USE

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

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

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.

DENSITY

Current zoning for this lot will allow for 10 units per acre, which if developed at the maximum density would yield 27 dwelling units. 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 30 units per acre, as well as professional offices, clinics, restaurants, sales/retail and a variety of other, non-residential uses. As stated above, density in the LC zoning district increased from 18 dwelling units per acre to 30 dwelling units per acre.

Existing site 2.68 acres	D-10 (10 du/acre)	D-15(15 du/acre)	D-18(18 du/acre)	LC(30 du/acre)
Number Units	27	40	48	80
Potential Parking (2 bedroom units 1.5 spaces per unit)	41	60	72	120
Area devoted to parking at 8.5 ft X17 ft (drive aisles NOT included)	5,925 sq.ft.	8,670 sq.ft.	10,404 sq.ft.	17,340 sq.ft.
AVT/DU weekday	151	234	281	468

ACCESS

The site is adjacent to both Mendenhall Loop Road and Atlin Drive. The existing driveway accesses Atlin Drive. It is very unlikely that DOT&PF would permit an additional driveway to Mendenhall Loop Road. DOT&PF did not provide comments on the rezone request and indicated that they will comment when there is specific development plan for the site.

TRAFFIC

At 2011 neighborhood meeting area residents raised concerns about the geometry of the intersection of Atlin and Mendenhall Loop Road, as well as the timing of the signal. They also expressed concerns about adding traffic to the street that might come with additional dwelling units.

In the table above staff estimated the Average Daily Trips by dwelling unit. This estimate is based on residential condominiums. A residential development at the maximum D-18 and LC capacity could be required to have a traffic impact analysis (TIA) completed, at the discretion of the Director of CDD. Various non-residential developments could be permitted in the current D-10 zoning and many different non-residential developments could be permitted in the proposed LC zoning district as well as a combination of residential and non-residential development. Given the limitations on size and intensity of non-residential development in the D-10 zoning district it is unlikely a TIA would be required. A TIA is somewhat more likely for non-residential development in the LC zone. As shown in the table above, the maximum D-10 residential development is estimated to generate 151 daily trips, which is 317 more daily trips than the maximum residential development that could potentially be built on this site in the LC zoning district.

There are two churches located on Atlin Drive. During the 2011 neighborhood meeting it was noted that parking can be an issue during services and events. Overflow parking occurs in the street, creating congestion which makes it difficult for emergency vehicles to use the street. Furthermore, the geometry of the intersection of Atlin Drive, Mall Road and Mendenhall Loop has been identified as a problem by neighborhood residents as has the timing of the signal.

As noted above, DOT&PF will comment when there is specific development plan for the site. The Mendenhall Loop Road/Atlin Street/Mall Road intersection is not within the limits of the capacity improvement project that DOT&PF is currently working on for Mendenhall Loop Road.

PUBLIC COMMENTS

At the time of the writing of this staff report staff received one email (attachment C). The individual is not in favor of any development of the site and notes specific concerns about noise.

COMPLIANCE WITH CBJ LAND USE CODE

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 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.

The intent of the Land Use Code 49.05.100 is shown below.

- (1) To achieve the goals and objectives, and implement the policies, of the Juneau comprehensive plan, and coastal management program;*
- (2) To ensure that future growth and development in the City and Borough is in accord with the values of its residents;*
- (3) To identify and secure, for present and future residents, the beneficial impacts of growth while minimizing the negative impacts;*
- (4) To ensure that future growth is of the appropriate type, design and location, and is served by a proper range of public services and facilities such as water, sewage, and electrical distribution systems, transportation, schools, parks and other public requirements, and in general to promote public health, safety and general welfare;*
- (5) To provide adequate open space for light and air; and*
- (6) To recognize the economic value of land and encourage its proper and beneficial use.*

The request unmistakably meets two of requirements to be considered for rezoning as the parcel is greater than 2 acres and the request is not substantially the same as a rezone request rejected in the past 12 months. When considering whether or not the request substantially conforms with the maps of the Comprehensive Plan, the discussion becomes much more complicated. When reviewing the Comprehensive Plan in regard to using the maps and evaluating rezoning requests clearly, the boundaries of the land use designations were not intended to be interpreted as absolute, which is different than zoning district boundaries, which are absolute. There are policies in the plan that both support expanding commercial areas as well as policies that support protecting neighborhoods from incompatible uses. The Table of Permissible Uses strives to do this by allowing a number of non-residential uses in the various residential zoning districts, and the size and intensity of the permitted commercial uses increases as the density of the residential zone increases.

Current zoning districts appropriate to Medium Density Residential (MDR) are D5 through D18. Certain commercial uses are allowed in these zoning districts. Previously, the residential density of the LC zone was appropriate to the MDR area, but with the increase to 30 units per acre it no longer fits within this description. Furthermore, the commercial uses allowed in the LC zone extend beyond what is normally considered to be of a scale consistent with a residential neighborhood, as described in the Comprehensive Plan.

The Atlin Drive neighborhood is a developed neighborhood, which is very nearly built out. While the area is zoned D-10, which is a multi-family district, the neighborhood is made up primarily of large lot single family homes at a density much lower than D-10 zoning permits. The neighborhood is accessed only by Atlin Drive, which is a dead end road. Mendenhall Loop Road provides a significant division between commercial uses and land use designations and has done so since the 1960s. Based on the above analysis this request does not substantially conform to the maps of the 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-10 zoning does not violate the Land Use maps of the Comprehensive Plan and is consistent with Map G. LC zoning does not substantially conform with the Land Use maps of the Comprehensive Plan.
3. The rezoning is larger than 2 acres.

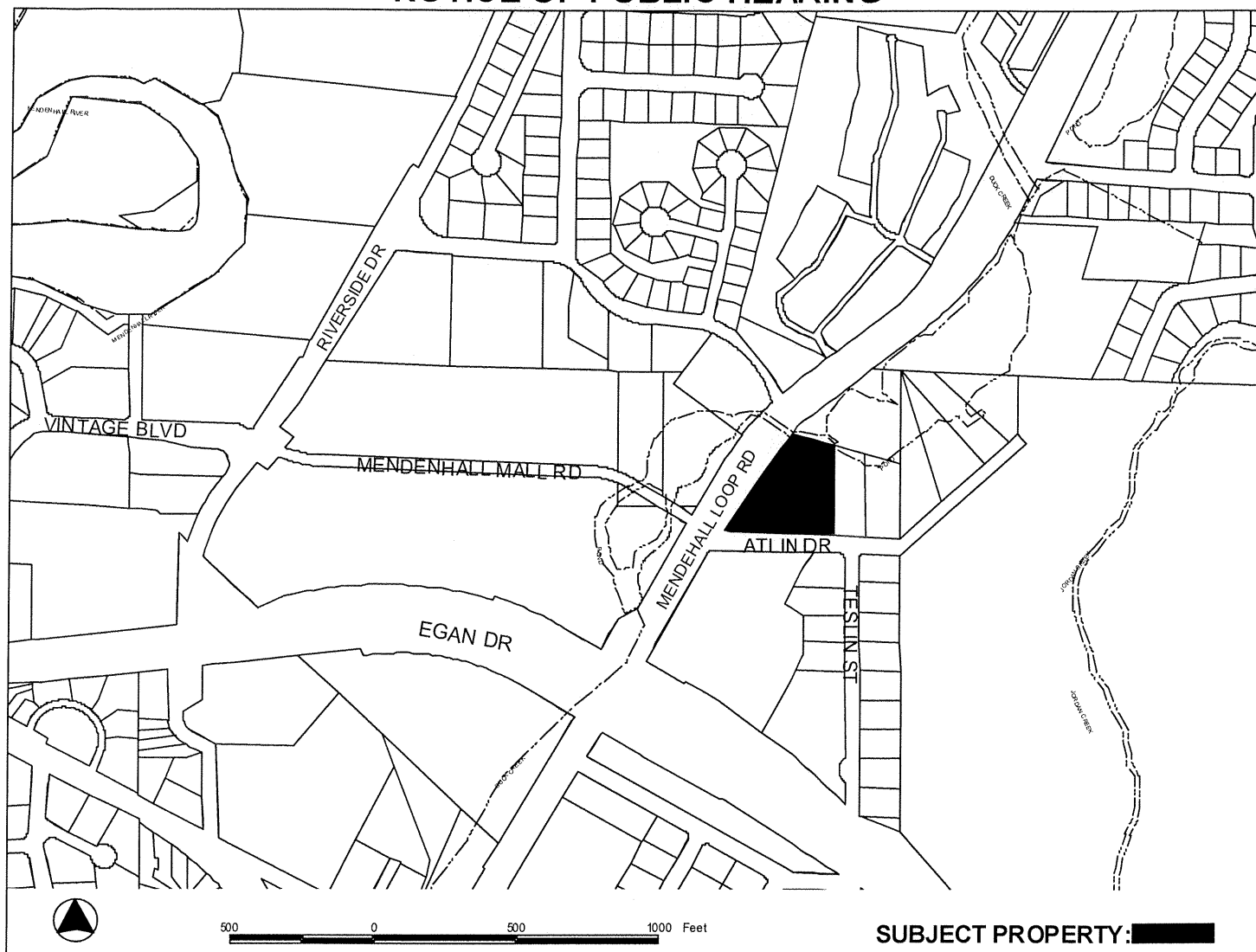
STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt the Director's analysis and findings and deny the rezone request and the subject parcel will remain in the current D-10 zoning district.

If the Planning Commission chooses to recommend to the Assembly that the lot be rezoned to Light Commercial, staff recommends the following conditions:

1. A Traffic Impact Analysis be completed prior to the rezone being presented to the Assembly for approval.

NOTICE OF PUBLIC HEARING



SUBJECT PROPERTY: [Redacted]

PROPOSAL: A request for a zone change from D-10 to LC for 9050 Atlin Drive.

FILE NO: AME2013 0006	APPLICANT: RICHARD HARRIS
TO: Adjacent Property Owners	Property PCN: 5-B16-0-137-001-0
HEARING DATE: September 24, 2013	Owner(s): RICHARD HARRIS
HEARING TIME: 7:00 PM	Size: 2.68 Acres
PLACE: ASSEMBLY CHAMBERS Municipal Building 155 South Seward St Juneau, Alaska 99801	Zoned: D-10
	Site Address: 9050 ATLIN DR
	Accessed via: ATLIN DR

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 8:30 A.M. on the Wednesday 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 beth_mckibben@ci.juneau.ak.us or at 586-0465.

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

Date notice was printed: September 10, 2013

DEVELOPMENT PERMIT APPLICATION

Project Number AME20130006	CITY and BOROUGH of JUNEAU	Date Received: 1/30/2013
Project Name (City Staff to Assign Name)		

PROJECT / APPLICANT	Project Description Request for Comprehensive Map change, and simultaneous zone change.		
	PROPERTY LOCATION		
	Street Address 9050 Atlin Drive	City/Zip Juneau 99801	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) USS 381 fr.		
	Assessor's Parcel Number(s) 5B1601370010		
	LANDOWNER/ LESSEE		
	Property Owner's Name Richard Harris	Contact Person: Richard Harris	Work Phone: 523-0540
	Mailing Address P.O. Box 32403, Juneau Ak. 99803	Home Phone:	Fax Number: 790- 4147
	E-mail Address rhdevelopment@gsi.net	Other Contact Phone Number(s): 723-4791	
	LANDOWNER/ LESSEE CONSENT ****Required for Planning Permits, not needed on Building/ Engineering Permits****		
<p>I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:</p> <p>A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.</p> <p>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.</p>			
X		Date 1/28/13	
X _____		Date _____	
<p>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.</p>			
APPLICANT If the same as OWNER, write "SAME" and sign and date at X below			
Applicant's Name SAME		Contact Person:	
Mailing Address		Home Phone:	
E-mail Address		Other Contact Phone Number(s):	
X		Date of Application 1/30/2013	

OFFICE USE ONLY BELOW THIS LINE					
STAFF APPROVALS	<input checked="" type="checkbox"/>	Permit Type	***SIGN	Date Received	Application Number(s)
		Building/Grading Permit			
		City/State Project Review and City Land Action			
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
		Mining Case (Small, Large, Rural, Extraction, Exploration)			
		Sign Approval (If more than one, fill in all applicable permit #'s)			
		Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
		Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)			
		Variance Case (De Minimis and all other Variance case types)			
		Wetlands Permits			
	X	Zone Change Application	Y	1/30/13	AME20130006
		Other (Describe)			
	***Public Notice Sign Form filled out and in the file.				
	Comments:				Permit Intake Initials

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

ZONE CHANGE APPLICATION

Project Number <u>AME20130006</u>	Project Name (15 characters)	Case Number <u>AME20130006</u>	Date Received <u>1/30/2013</u>
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LEGAL DESCRIPTION(S) AND LIMITS OF PROPERTY TO BE REZONED:

USS 381 Fr., 9050 Atlin Dr.

IS THIS AN EXPANSION OF AN EXISTING ZONE?

☒ Yes ☐ No

Total Land Area of Proposed Change 2.17 acres

Comp Plan Designation MDR

Current Zone(s) D-10

Comp Plan Map 4

New Zone Requested Light Commercial

TYPE OF ZONE CHANGE REQUESTED:

☒ Regular

☐ Transition

HAS THIS OR A SIMILAR ZONE CHANGE BEEN REQUESTED IN THE PREVIOUS 12 MONTHS?

☐ Yes

☒ No

UTILITIES AVAILABLE:

WATER: ☒ Public ☐ On Site

SEWER: ☒ Public ☐ On Site

PURPOSE OF THE REQUESTED ZONE CHANGE:

See Attached

IS THERE A PROPOSED USE OF THE LAND?

☐ Yes ☒ No

PROPOSED BUFFERS TO ADJACENT ZONES?

☒ Yes ☐ No

DESCRIBE (INCLUDING TYPE AND DENSITY OF PROPOSED DEVELOPMENT):

See Attached

DESCRIBE ANY POTENTIAL IMPACTS TO PUBLIC INFRASTRUCTURE:

STREETS: Some new traffic, about 40 new dwelling units and some commercial

WATER: New demand from 40 new dwelling units and some commercial

SEWER: New demand from 40 new dwelling units and some commercial

For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side.

If you need any assistance filling out this form, please contact the Permit Center at 586-0770.

ZONE CHANGE FEES

	Fees	Check No.	Receipt	Date
Application Fees	\$ <u>600.00</u>			
Admin. of Guarantee	\$ _____			
Adjustment	\$ <u>50.00</u>			
Pub. Not. Sign Fee	\$ <u>100.00</u>			
Pub. Not. Sign Deposit	\$ <u>750.00</u>			
Total Fee	\$ <u>1500.00</u>			

Creditcard elizab 01/30/13

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM



Public Notice Sign Lease Agreement

Community Development Department

Case # AME20130006 Sign # _____ Hearing Date: _____
Assessor's Parcel # 6B1601370010 Check # Creditcard Receipt # 211202 034136
★ Applicant: Richard Harris (please print) Phone #: 907-523-0516
Application Received by: G. Eschlin Date: 1/13/13
(CDD staff initials/name)

★ I, Richard Harris, in cooperation with the Community Development Department (CDD), have leased a Public Notice Sign and agree to the terms listed below:

CHARGE: \$50 Preparation Fee
\$100 Refundable Deposit

RETURN TIME: The sign **MUST** be returned to the Community Development Department **by 4:30 p.m. on the Monday** following the scheduled hearing date. If the sign is returned later than the Monday after the Planning Commission meeting, but within two weeks of the meeting, \$50.00 may be refunded.

PENALTIES: The sign **MUST** be returned to the Permit Center Staff in the same condition it was taken: clean, undamaged, and with no attachments. **If a sign is not returned on time, or has been damaged, the \$100 deposit fee will be forfeited.**

POSTING REQUIREMENTS:

- The sign must be posted by the applicant/developer on the site at least 14 days prior to the hearing date.
- The sign must be clearly visible and readable from a public Right-of-Way.

★ [Signature]
(Applicant Signature)

1/30/2013
(Date)

Sign Received by: _____ Date: _____ Staff Initials: _____

Sign Returned by: _____ Date: _____ Staff Initials: _____

REFUND INFORMATION:

Receipt Number: _____

Amount Refunded: _____ Method: _____ Date: _____ Staff Initials: _____

Refund Received by: _____ /mailed to: _____

January 29, 2013

Attn: CBJ Community Development Dept.

To whom it may concern, as the owner of 9050 Atlin Dr. I would like to make a request for modification of the CBJ Comprehensive plan Maps, extending the existing MU designation of the Super Bear area to include our property directly across to the east side of Mendenhall loop Rd., This action would be much more compatible with the highest and best use of the land, incorporating sustainability and modern urban development as encouraged in the comprehensive plan.

Please consider this our formal request.

Thank You,

A handwritten signature in black ink, appearing to read 'Richard A. Harris', written in a cursive style.

Richard A. Harris

January 29, 2013

Narrative for Re- Zone Application for 9050 Atlin Dr.

The utility of this parcel is heavily impacted by the presence of Duck Creek and the attendant 50' setback. About 40 percent of the parcel is unusable because of the creek.

Current Zoning limits the number of residential units to 22. This is too small for a new residential development. increasing the density to approximately 40 units will allow a mix of unit types – meaning low cost efficiency apartments can be included- and will allow a more cost effective development overall.

There is a church directly across Atlin Street from our property and thus a very commercial setting in the neighborhood. The area across Loop Rd. is all major commercial. The site borders Loop Road and is thus very visible from a major thoroughfare, much more suitable for commercial than residential development.

PROPERTY DESCRIPTION:

1. LOCATION AND SETTING:

The property is located at 9050 Atlin Drive, Juneau, Alaska.

The Property is located in the Mendenhall Valley at the northeast corner of the Mendenhall Loop Road And Atlin Drive, across the street from St. Paul's Catholic Church..

The Property is located in the Mendenhall Valley at the northeast corner of the Mendenhall Loop Road and Atlin Drive, across the street from St. Paul's Catholic Church.

This parcel is currently zoned R-10 (Residential, multi-family, 6,000 sq. ft. minimum lot size, 10 units per acre) and is

located at a busy intersection across the street from a shopping center zoned light commercial. It is a portion of U.S. Survey 381, as shown on plat 2006-43, Juneau Recording District, of the First Judicial District.

The 2.68-acre site contains two Quonset huts and several small wood buildings along with the associated land and is being used for storage. The Quonset huts are 2,180 sq. ft. and 629 sq. ft. In addition there

are several small, wood storage buildings. The site is currently being used by the owner as a storage area has in the past been used for the same by the Juneau Ranger District.

2. DRIVING DIRECTIONS:

To get to the Duck Creek Administrative Site at 9050 Atlin Drive, at the stoplight at the intersection of Mendenhall Loop Road, Atlin Drive, and Mendenhall Mall Road, go east on Atlin Drive, it will be immediately on the left side of the street.

3. LEGAL DESCRIPTION:

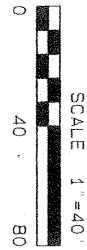
All of the following described real property, situated in the City and Borough of Juneau State of Alaska, to

wit: A Portion of USS 381

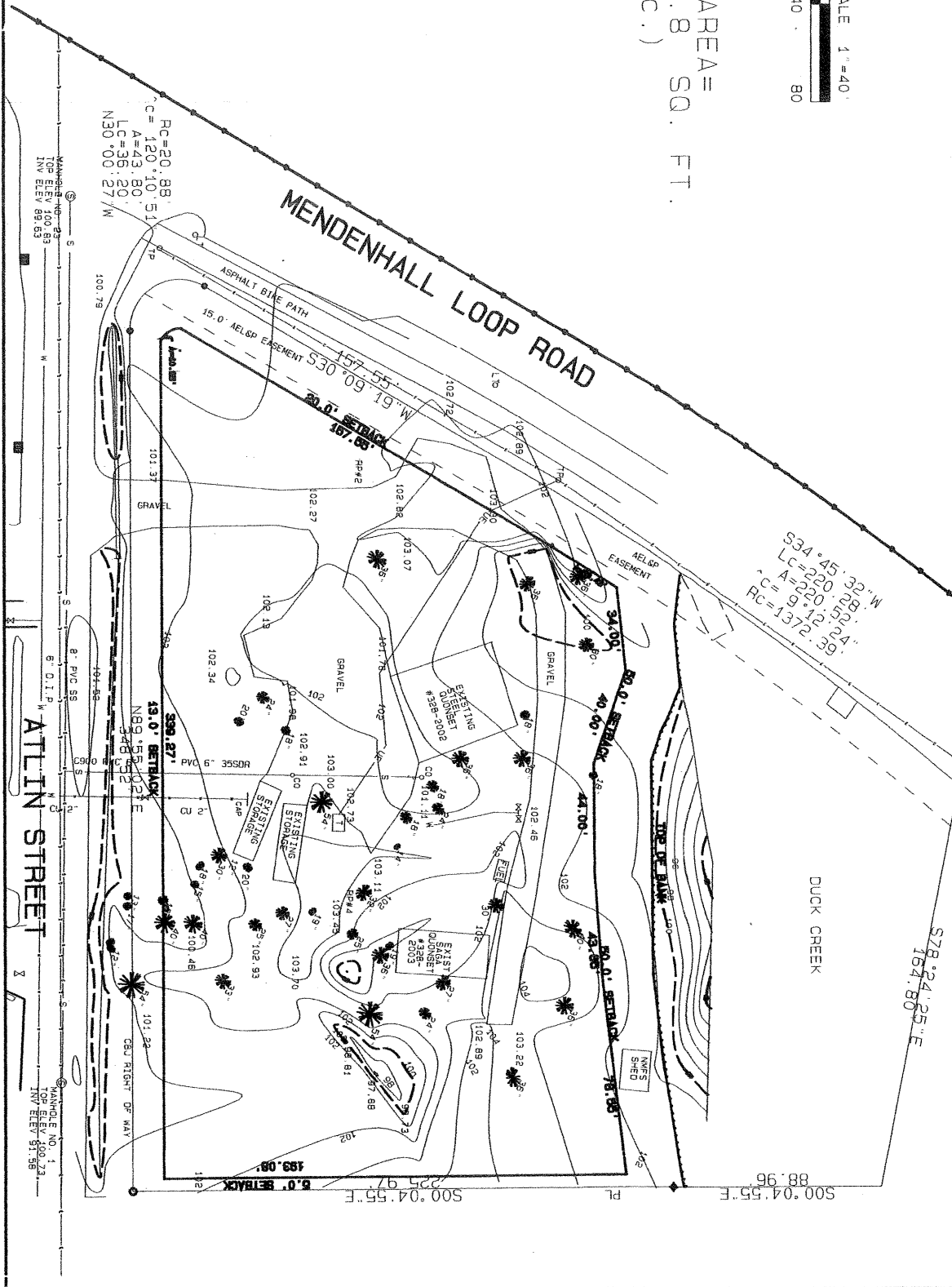
4. ASSESSOR'S PARCEL NO.:

APN: 5B1601370010

City and Borough of Juneau, Alaska



TOTAL AREA=
94,490.8 SQ. FT.
(2.17Ac.)



Map 4



ARTICLE II. - ZONING DISTRICTS

49.25.200 - RR, rural reserve district.

49.25.210 - Residential districts.

49.25.220 - Mixed use districts.

49.25.230 - Commercial districts.

49.25.240 - I, industrial district.

49.25.250 - Waterfront districts.

49.25.200 - RR, rural reserve district.

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

(Serial No. 87-49, § 2, 1987)

49.25.210 - Residential districts.

The following districts are established to provide a healthy, safe and pleasant environment for residential living protected from incompatible and disruptive activities:

- (a) The D-1, residential district, is intended to accommodate primarily single-family and duplex residential development in areas outside the urban service boundary at a density of one dwelling unit per acre. Certain D-1 zoned lands, however, may exist within the urban service boundary in transition areas if public sewer or water are absent but planned for. The D-1 classification will be changed to a higher density upon provision of services.
- (b) The D-3, residential district, is intended to accommodate primarily single-family and duplex residential development at a density of three dwelling units per acre. D-3 zoned lands are primarily located outside the urban service boundary where public utilities are not provided. The density reflects the existing pattern of development of properties in the district. There is a limited amount of D-3 zoned lands located within the urban service boundary. These are lands for which a lower density is deemed appropriate or, in the case of transition zones, where the zoning will be changed to a higher density when sewer and water are provided.
- (c) 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.
- (d) The D-10 SF, residential district, is intended to accommodate primarily single-family residential development at a density of ten dwelling units per acre. This is the highest-density single-family residential district.
- (e) The D-10 and D-15, residential districts, are intended to accommodate primarily multifamily residential development at ten and 15 units per acre respectively. These are relatively low-density multifamily districts.
- (f) 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.

(Serial No. 87-49, § 2, 1987; Serial No. 2007-39, § 7, 6-25-2007)

49.25.220 - Mixed use districts.

The mixed use and mixed use 2 districts are established to accommodate a mix of appropriate commercial and residential uses.

- (a) The MU, mixed use district, reflects the existing downtown development pattern and is intended to maintain the stability of the downtown area. Multifamily residential uses are allowed and encouraged.
- (b) The MU2, mixed use 2 district, is intended to place a greater emphasis on residential development than is the case in the MU district. A range of residential development types is allowed. Multifamily residential uses are allowed at a density of up to 80 units per acre.

(Serial No. 87-49, § 2, 1987; Serial No. 98-09, § 3, 1998; Serial No. 2012-24, § 2, 5-14-2012, eff. 6-14-2012)

Administrative Code of Regulations cross reference—*Mix use development, Part IV, § 04 CBJAC 035.010*

49.25.230 - Commercial districts.

The following districts are established to accommodate commercial activities:

- (a) 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.
- (b) The GC, general commercial district, is intended to accommodate most commercial uses. Commercial activities are permitted outright in the zone except for those few uses that are listed as conditional uses to ensure compatibility. Residential development is allowed in mixed- and single-use developments in the general commercial district.

(Serial No. 87-49, § 2, 1987; Serial No. 2012-24, § 2, 5-14-2012, eff. 6-14-2012)

Cross reference— *Business regulations, CBJ Code tit. 20.*

49.25.240 - I, industrial district.

The I, industrial district, is intended to accommodate industrial activity which includes manufacturing, processing, repairing and assembling goods. Because of noise, odors, waste and other impacts inherent in industrial activity, performance standards are applied.

(Serial No. 87-49, § 2, 1987; Serial No. 2012-24, § 2, 5-14-2012, eff. 6-14-2012)

Cross reference— *Business regulations, CBJ Code tit. 20.*

49.25.250 - Waterfront districts.

The following districts are established to accommodate those uses that are dependent or directly related to the water, a waterfront location, or both. These districts regulate development of the waterfront to take advantage of the unique attributes and limitations of its lands:

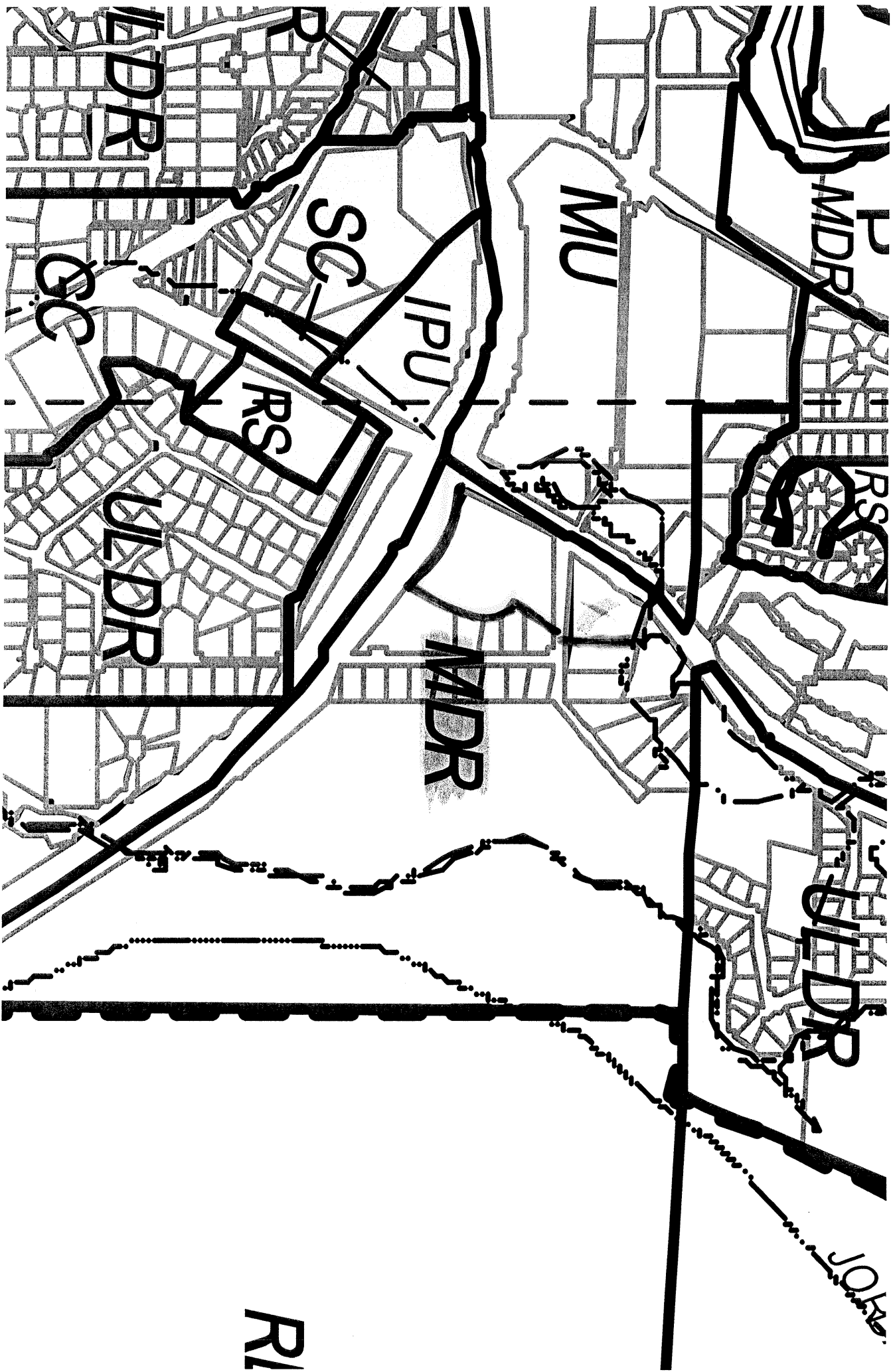
- (a) The WC, waterfront commercial district, is intended to provide both land and water space for uses which are directly related to or dependent upon a marine environment. Such activities include private boating, commercial freight and passenger traffic, commercial fishing, floatplane operations, and retail services directly linked to a maritime clientele. Other uses may be permitted if water-dependent or

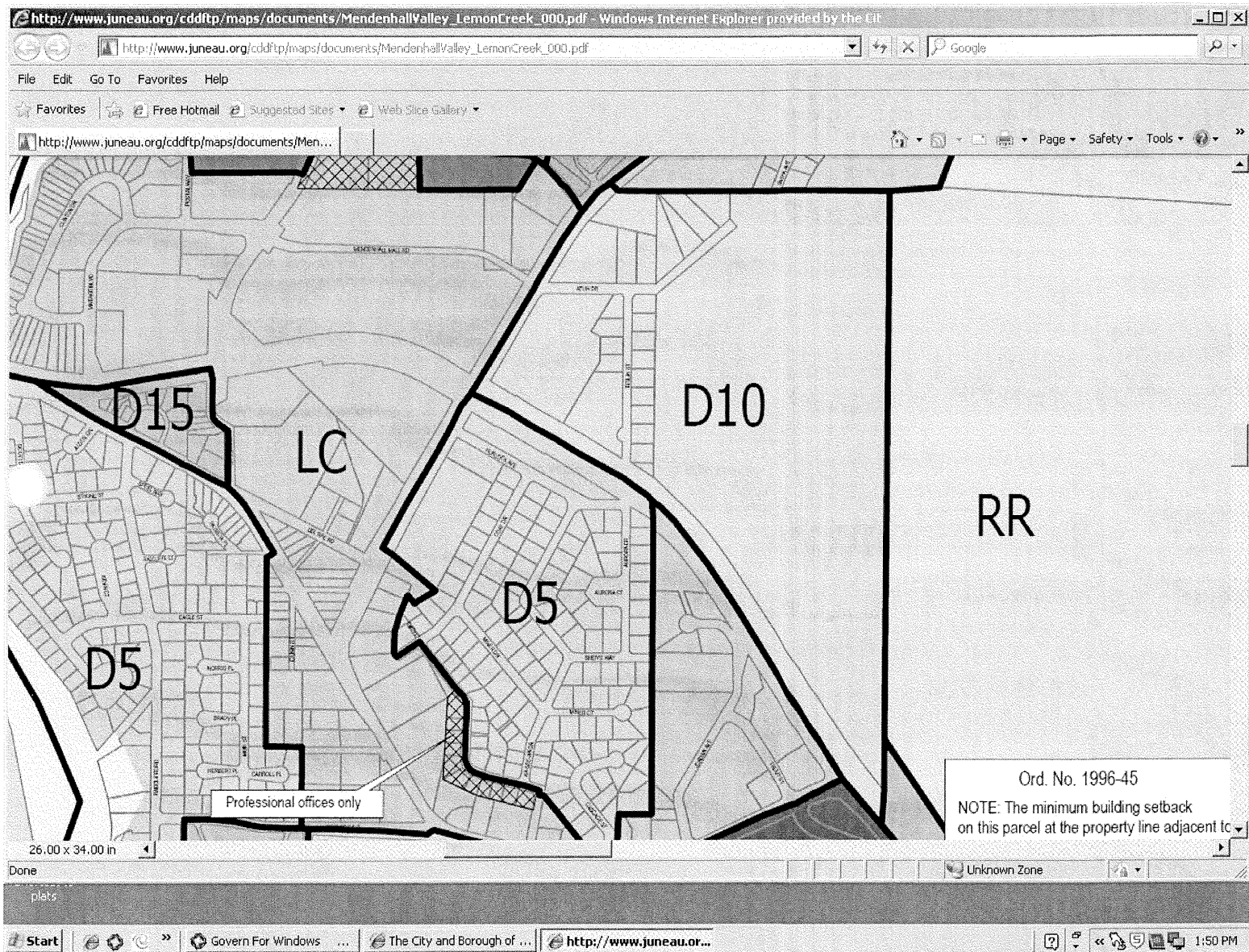
water-oriented. Residential development is allowed in mixed- and single-use developments in the waterfront commercial district.

- (b) The WI, waterfront industrial district, is intended for industrial and port uses which need or substantially benefit from a shoreline location. In addition, many of the uses that are allowed in the WC, waterfront commercial district, are also allowed in the WI, waterfront industrial district. Residential uses are limited to caretaker residences in the waterfront industrial district.

(Serial No. 87-49, § 2, 1987; Serial No. 90-52, § 2, 1990; Serial No. 2012-24, § 2, 5-14-2012, eff. 6-14-2012)

Cross reference— *Water and harbors, CBJ Code tit. 85.*





CHAPTER 11. COMPREHENSIVE PLAN LAND USE MAPS

The Comprehensive Plan Land Use Maps, generally called the Comprehensive Plan Maps, display land use designations for various subareas of the CBJ. The Comprehensive Plan Maps translate the policies of the preceding chapters into specific land use designations for residential, commercial, industrial, natural areas, resource protection and institutional/public uses.

The land uses shown are expressed in a range of development intensities. All new zoning or re-zoning designations are required to be consistent with the Comprehensive Plan Maps. In some cases, the Comprehensive Plan Map will provide a range of densities that can be allowed, which means that the corresponding zoning classification could be one of several selections within that range. For example, an "Urban Low Density Residential" (ULDR) Comprehensive Plan Land Use designation describes residential development with densities ranging from one to six dwelling units per acre. There are five Land Use Code residential zoning district designations that fall within this density range, and which could then be chosen as consistent with the Comprehensive Plan.

In considering re-zoning requests, 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.

Encompassing over 3,000 square miles, the CBJ is difficult to depict unless its components are broken down into more easily mapped and displayed units. Thus, a study area was drawn from within the CBJ. The study area was in turn divided into subareas. The primary presentation of land use and related policies appear in Chapters 4 (Housing), 5 (Economic Development) and the Subarea Maps and related Guidelines described later in this Chapter.

Methodology and Criteria

The Comprehensive Plan Maps were prepared after analyzing each subarea in terms of its relationship to the existing community form, adopted policies, existing natural resources, habitat value, development patterns, suitability for additional development, and other characteristics. The steps taken to prepare the subarea maps are discussed below.

Vacant and potentially buildable land was located in each subarea and physical development constraints such as steep slopes and wetlands were evaluated. Road access, intersection capacity, utilities, adjacent land uses and existing development patterns were also analyzed. In most cases, existing patterns were reinforced with a compatible designation on the subarea maps. Most publicly-owned land within sensitive areas was designated for very low density development or resource conservation in accordance with the Natural Resource and Hazards policies described in

Chapter 7 of this Plan. Designation of residential land was based on the level of existing or planned urban services, the pattern of existing subdivision(s), and compatibility with adjacent land uses.

For each subarea, the designated intensity of future development was determined in large part by whether the subarea is located in the Urban Service Area, rural areas, or New Growth Areas. For example, a key determinant for the use of land in the Downtown Juneau and Downtown Douglas areas are their characteristically urban form. The Lemon Creek, Switzer Creek, and East Mendenhall Valley areas are, overall, characteristically suburban in scale, form and density, although there are areas of high density apartments and manufactured home parks therein. Small areas around the University and Auke Bay share urban form and densities. The area west of the Mendenhall River, however, is rural in character although it is provided sewer service that, typically, warrants a suburban or urban density of development. Likewise, North Douglas is to be provided sewer service that warrants denser residential development. Areas that are planned for sewer service are designated transition areas that, when services and road improvements are provided, should be rezoned to allow increased density of development. The more remote roaded areas of Thane and Out the Road are rural and are not proposed for municipal water or sewer service within the 12 year planning horizon of this Plan.

Commercial uses were generally designated in or adjacent to existing commercial areas if the latter are accessible to major population centers. Water- dependent commercial uses were designated for shoreline areas characterized by adequate services and marine access. Mixed Use development was designated in areas near existing shopping areas, along transit corridors, in Downtown Juneau and Douglas and the village center of Auke Bay, based on existing development patterns, access and location.

Industrial districts were designated according to the type of industrial use therein or based on the location criteria of industrial businesses. Due to the incremental, yet significant, encroachment of commercial retail, office and service uses into industrially-zoned districts in Lemon Creek and near the airport, these areas were re-designated from industrial use to heavy commercial/light industrial use. Other lands that had previously been designated for future park use near the airport (an abandoned sand and gravel pit) and for resource development in Lemon Creek (an active gravel pit) were designated for Resource Development; these areas are expected to be available for development in the long-term.

Waterfront areas were designated for water-dependent development, mixed with compatible commercial and residential uses, provided that public access to the water and valued view corridors are preserved.

The public/institutional designations reflect existing uses. In Downtown Juneau they allow for expansion and redesign of municipal facilities and the State Capitol Complex. Public shoreline access is considered to be an important land use. The Comprehensive Plan Maps indicate existing public shoreline access points. The locations of potential small boat harbors are shown, as are potential roadway corridors.

Descriptions of Land Use Categories

The following descriptions should guide the development of Land Use Code zoning district land uses, development standards and guidelines. These descriptions are intended to describe the overall character of development for each land use category and are not intended to be firm or restrictive definitions, such as with zoning district permitted and conditional uses. The Community Development Department, Planning Commission and the Assembly will use these descriptions of the character of the land use categories and zones to guide their formation of the zoning regulations for each. These land use categories and their uses reflect cultural values and economic and societal needs and, over time, the Comprehensive Plan descriptions of land use categories will change to reflect changing values and circumstances.

Conservation Area (CA). Conservation Areas consist of CBJ-owned Parks and Recreation Department-managed lands with recognized high value environmental qualities that are set aside for the protection and management of the natural environment with recreation, such as fishing, hiking and non-motorized boating, as a secondary objective. These may be non-anadromous watercourses or areas adjacent to anadromous streams that have been designated Stream Protection Corridors (SC), greenbelts, or high value wetlands. No development should be permitted other than structures, roads and trails necessary for the maintenance and protection of the resources or for managed public access for education and passive recreation purposes. These lands should be zoned to prevent residential, commercial, and industrial development, as well as resource extraction activities.

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

On publicly-owned lands that are not owned by the CBJ, a SC-Stream Protection Corridor designation is fixed at 200 feet from the ordinary high water mark of the shorelines of the anadromous fish creeks, streams, and lakes listed in the most recently CBJ-adopted Alaska Department of Fish and Game (ADF&G) inventory of anadromous streams.

Natural Area Park (NP). Natural Area Parks are CBJ-owned lands characterized by areas of natural quality designed to serve the entire community by providing fish and wildlife habitat, open space/natural areas, access to water, and opportunities for passive and dispersed recreation activities. No development should be permitted other than structures, roads and trails necessary for the maintenance and protection of the resources or for managed public access for education and passive recreation purposes; this may include parking areas, educational kiosks, cabins, rest stations and similar convenience services for the recreational enthusiast. These lands should be zoned to prevent residential, commercial, and industrial development, as well as resource extraction activities. The CBJ should retain ownership of these lands.

Recreational Service Park (RS). Recreation Service Parks include CBJ-owned lands with parks developed for active recreation and programmed use and/or community gardens, and may be a single use or activity area. Examples include Bonnie Brae mini-park, Chicken Yard neighborhood park, Savikko community park, Community Gardens, Eaglecrest, and the Hank Harmon Rifle Range. The Kaxdigoowu Heen Trail is part of a Recreation Service Park. An All-Terrain Vehicle (ATV) riding park would be an appropriate use of lands under this designation. Recreation, parking, playgrounds and fields, operations and maintenance-related structures and activities are typical components of RS-designated lands. These lands should be zoned to prevent residential, commercial, and industrial development, as well as resource extraction activities beyond those accessory to park infrastructure development. The CBJ should retain ownership of these lands.

Recreational Resource (REC). Land primarily under federal or state management for a range of resources, such as timber, minerals, fish and wildlife and recreation uses, including recreation cabins. Uses may include small-scale, visitor-oriented, and/or seasonal recreational facilities. These lands should be zoned to prevent residential, commercial, and industrial development.

Watershed (WS) Watershed lands are in natural, largely undisturbed states that provide, or could in the future provide, water supplies for domestic water consumption. Any development within WS-designated lands should be designed and/or use Best Management Practices to avoid negative impacts to water quality.

Hazard Area (HA) Hazard Area lands have characteristics that could pose hazards to the general public and, therefore, development therein should be prohibited or, if allowed, should be designed and operated in such a way as to ameliorate any adverse impacts associated with the identified hazard. Examples of hazardous lands include areas with moderate to high potential for avalanche or mass-wasting/landslide events. Lands within Hazard Area designations may be zoned for a mix of zoning districts, most particularly the same district as the surrounding lands. CBJ-owned lands in hazard areas should be retained in CBJ ownership.

Scenic Corridor/Viewshed (SCV) This designation is suitable for CBJ-owned and other public lands whose views of, or whose near and/or distant views from the locale, are deemed as spectacular and/or represent a significant and important representation of the visual character of the CBJ. The views of, or from, the designated SCV land area toward public vista points or viewscapes: demonstrate a scenic view of great natural beauty, a spectacular landscape, an important historic building or site; provide views of the aurora borealis, sea, harbors, or of a

cityscape that is a "signature" viewscape of the CBJ; and is valued by residents and visitors alike and conveys the CBJ as a special place. Lands within the scenic corridor or viewscape should be protected from visual intrusion or obstructions from structures, night light and glare, invasive flora, and/or other similar elements that would diminish the visual prominence of the viewscape. Lands within SCV designations may be zoned for a mix of zoning districts, most particularly the same district as the surrounding lands; however, any new zoning request or rezoning application should identify specific view corridors that would be protected by any new development therein. Land uses that do not require view-blocking structures should be permitted, such as public vista plazas and seating areas, community gardens, boat launch facilities, fishing areas or utility poles.

Institutional and Public Use (IPU). 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 and road and public transit system easements. Also included are public aircraft facilities. The public use of these lands can be accommodated by any appropriate zoning district, most particularly the same district as the surrounding lands.

Transit Corridors (TC). Bus Rapid Transit (BRT) Corridors, fixed-guideway Transit Corridors, or other major transit routes, including land for common carrier passenger transportation service that is available to any person who pays a prescribed fare and that operates on established schedules along designated routes with specific stops. Park & Ride parking facilities and other off-site parking facilities may also be accommodated within Transit Corridors. Transit Corridors can be expected to support Affordable Housing, Transit Oriented Corridor, and Transit Oriented Development overlay zoning districts.

Resource Development (RD). Land to be managed primarily to identify and conserve natural resources until specific land uses are identified and developed. Such specific uses may include, where appropriate, resource extraction and development, recreational and visitor-oriented facilities, and residential uses. The area outside the study area of this Comprehensive Plan is considered to be designated Resource Development.

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

Rural/Low Density Residential (RLDR). Rural residential land at densities of one to three dwelling units per acre, based on existing platting and capability of the land to accommodate on-site septic systems and wells or whether the land is served by municipal water and sewer service.

Urban/Low Density Residential (ULDR). These lands are characterized by urban or suburban residential lands with detached single-family units, duplex, cottage or bungalow housing, zero-lot-line dwelling units and manufactured homes on permanent foundations at densities of one to

six units per acre. Any commercial development should be of a scale consistent with a single-family residential neighborhood.

Medium Density Residential (MDR). These lands are characterized by urban residential lands for multifamily dwelling units at densities ranging from 5 to 20 units per acre. Any commercial development should be of a scale consistent with a residential neighborhood.

Medium Density Residential—Single Family Detached (MDR/SF). These lands are characterized by single-family detached homes at densities ranging from 10 to 20 units per acre. Only single-family detached homes, single-family detached homes with an accessory apartment, cottage houses and bungalow houses are permitted within this zone. Any commercial development should be of a scale consistent with a single-family residential neighborhood.

High Density Residential (HDR). These lands are characterized by urban residential lands suitable for new, in-fill or redevelopment housing at high densities ranging from 18 to 60 units per acre. Commercial space may be an element of developments on properties under this designation.

Mixed Use (MU). These lands are characterized by high density residential and non-residential land uses in Downtown areas and around shopping centers, the University, major employment centers and public transit corridors, as well as other areas suitable for a mixture of retail, office, general commercial, and high density residential uses at densities ranging from 18 to 60 residential units per acre. Residential and non-residential uses could be combined within a single structure, including off-street parking. Ground floor retail space facing roads with parking behind the retail and housing above would be an appropriate and efficient use of the land.

Marine Mixed Use (M/MU). These lands are characterized by high density residential and non-residential land uses in areas in and around harbors and other water-dependent recreational or commercial/industrial areas. Suitable locations include Auke Bay, Downtown Juneau, Downtown Douglas, and the waterfront areas of the West Douglas and Echo Cove New Growth Areas when Master Development Plans are developed. Typically, neighborhood-serving and marine-related retail, marine industrial, personal service, food and beverage services, recreational services, transit and transportation services should be allowed and encouraged, as well as medium- and high-density residential uses at densities ranging from 10 to 60 residential units per acre. Ground floor retail space facing roads with parking behind the retail and housing above would be an appropriate and efficient use of the land. Float homes, live-a-boards, and house boats, if necessary services (such as sewer) are provided to berthing locations, are appropriate for these areas.

Transit Oriented Development (TOD). These lands are located with one-quarter mile of a bus transfer point, express bus stop, or along a major bus route with short headways and long service hours. This area is characterized by high density residential and non-residential land uses in Downtown areas, in or near shopping centers, near the University and major employment centers. Residential and non-residential uses could be combined within a single structure, including off-street parking. Ground floor retail space facing roads with parking behind the retail and housing above would be an appropriate and efficient use of the land.

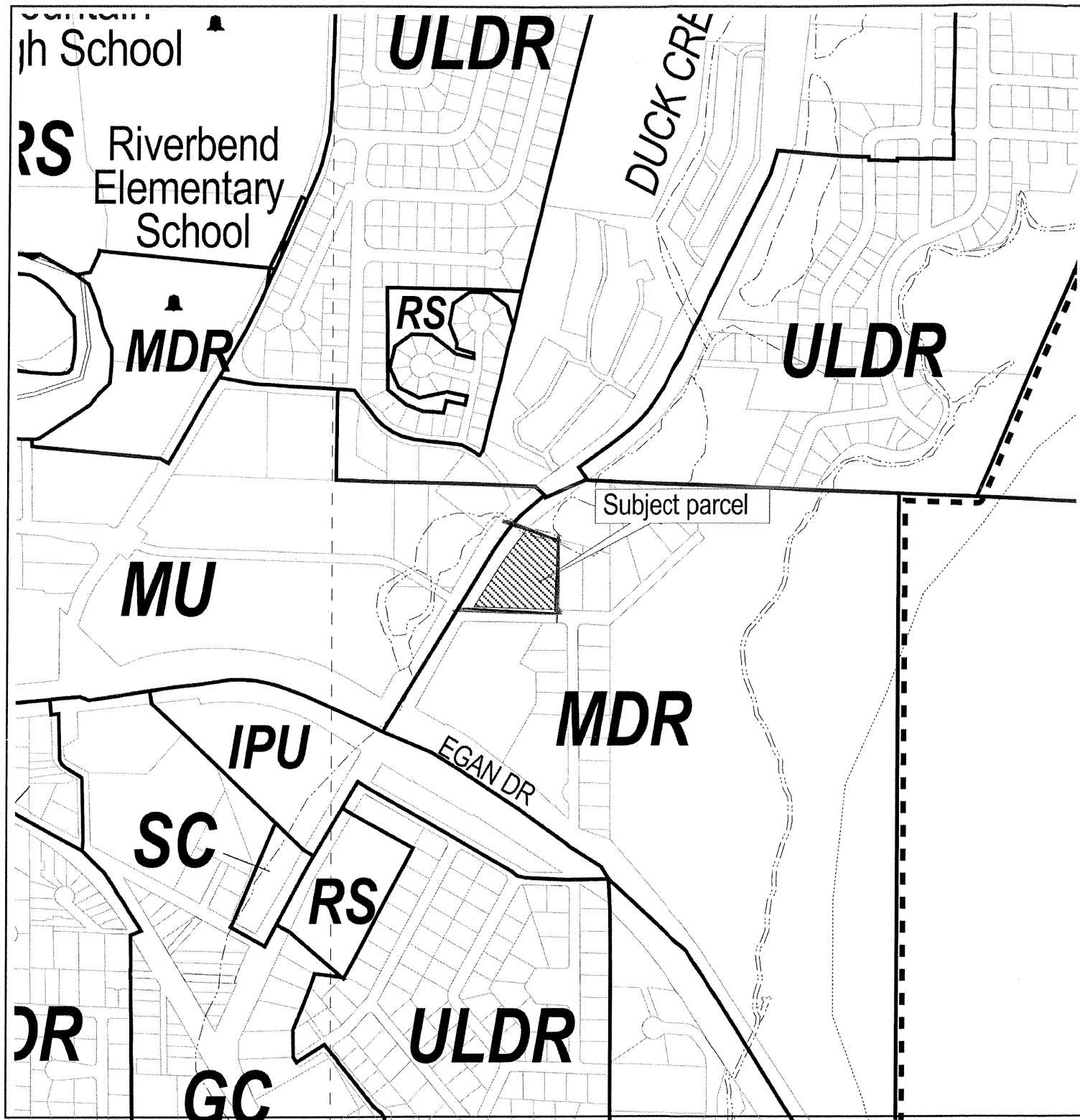
Transition Area (T). Predominately undeveloped or low density residential areas within the Urban Service Area boundary that do not yet have public sewer, water, or other specified improvements. A transition area is shown as a lower density classification that would undergo a transition (T) to the specifically-named higher density classification once the needed improvements are made.

General Commercial (GC). Lands devoted to retail, office, food service or personal service uses, including neighborhood retail and community commercial centers, such as shopping centers and malls, office complexes or other large employment centers. Mixed retail/residential/office uses are allowed and encouraged. Residential and non-residential uses could be combined within a single structure, including off-street parking. Residential densities ranging from 18- to 60-units per acre are appropriate in this area. Ground floor retail space facing roads with parking behind the retail and housing above would be an appropriate and efficient use of the land.

Heavy Commercial/Light Industrial (HC/LI). Land to be developed for heavy commercial or light industrial uses such as small- to medium- scale food processing; printing and other business services; wholesale trade; research and development laboratories; light manufacturing processes; metal fabrication; warehousing, trucking; animal kennels; crematoria; indoor and outdoor storage; and repair and maintenance activities. Residential units should be limited to caretaker units where the occupant works directly for or owns the business for which the occupant is caretaking.

Industrial (IND). Land to be developed for heavy industrial uses such as large scale food production and/or processing; large-scale or industrial-related repair activities; metal fabrication; wholesale trade; manufacturing processes; warehousing; outdoor storage; trucking; animal kennels; crematoria; repair and maintenance uses; resource extraction and processing such as gravel pits, rock crushing facilities, cement batch plants, asphalt plants, fuel tanks, stump dumps, salvage yards, landfill sites; aircraft facilities; and other similar large-scale or noisy and/or noxious industrial activities. Some recreational uses should be permitted, including sport vehicle, all terrain vehicle (ATV) or snowmobile motor-course facilities, shooting ranges, and other similar noise-generating uses. Residential, office, retail, and personal service uses are not to be allowed.

Waterfront Commercial (WC). Land to be used for water-dependent commercial uses such as marinas/boat harbors, marine vessel and equipment sales and repair services, convenience goods and services for commercial and sport fishing, marine recreation and marine eco-tourism activities such as food and beverage services, toilet and bathing facilities, bait and ice shops, small-scale fish processing facilities, hotels and motels, and similar goods and services to support mariners and their guests. Float homes, house boats, and live-aboards would be residential uses to be allowed within a WC district, if adequate services (such as sewer) are provided to the moorage slips. Residences at a density of up to 18 units per acre would be allowed on upland properties in the WC district only if they are above water-dependent ground-floor uses in the same structure.



NATURAL RESOURCE	REC	Recreational Resource
	RD	Resource Development
	SP	State Park
	FP	Federal Park
	NP	CBJ Natural Area Park
	RS	CBJ Recreational Service Park
	CA	CBJ Conservation Area
	SC	Stream Protection Corridor
	GC	General Commercial
	WC	Waterfront Commercial
COMMERCIAL INDUSTRIAL	WC/I	Waterfront Commercial Industrial
	HC/LI	Heavy Commercial/Light Industrial
	I	Industrial

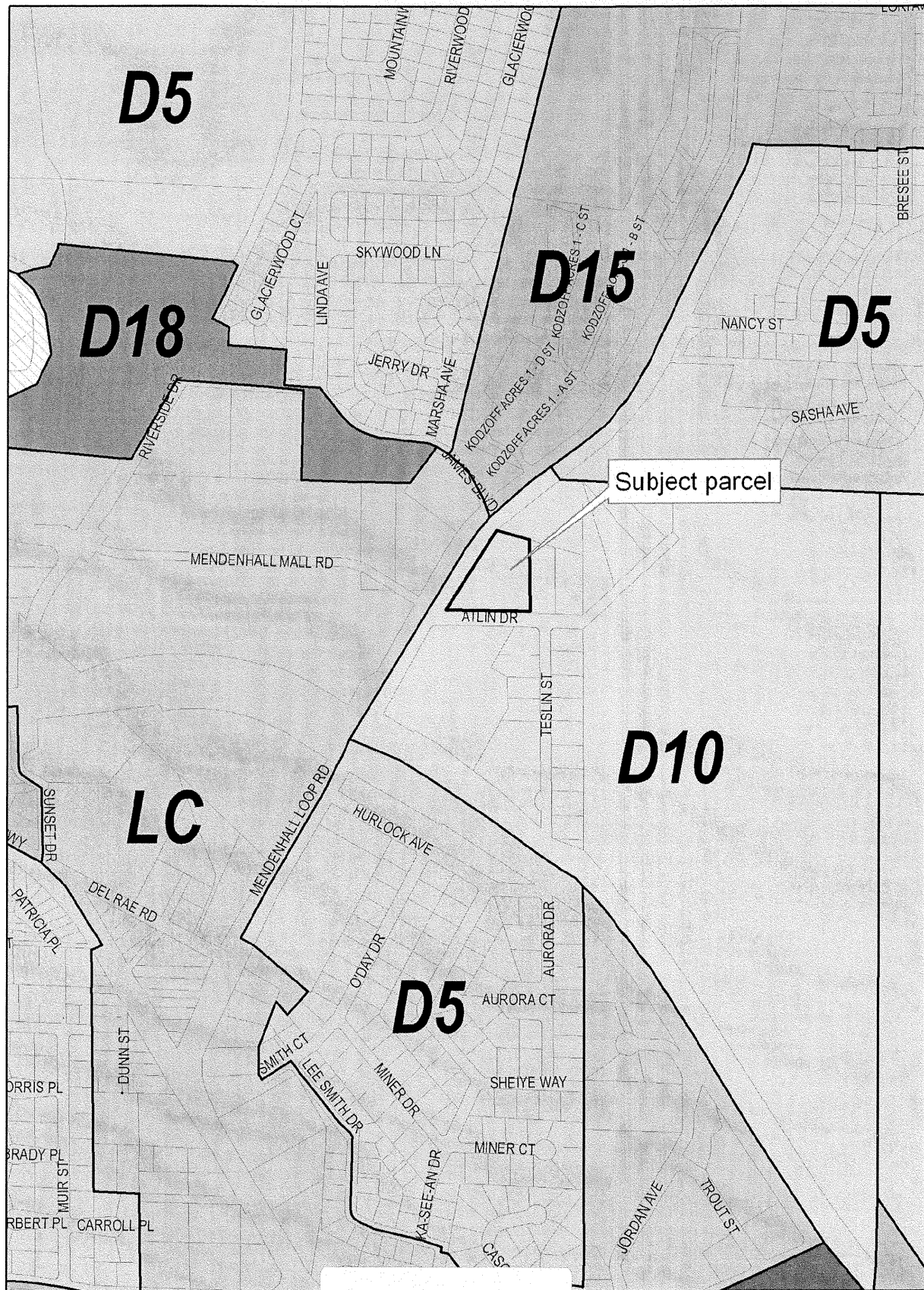
RESIDENTIAL	RDR	Rural Dispersed Residential
	RLDR	Rural Low Density Residential
	ULDR	Urban Low Density Residential
	MDR/SF	Medium Density Residential- Single Family
	MDR	Medium Density Residential
	HDR	High Density Residential
	MU	Mixed Use
	MMU	Marine Mixed Use
	IPU	Institutional and Public Use
		Existing School
PUBLIC		Potential School Location
	==	Potential Arterial (alignment not specific)
	- - -	Potential Road (alignment not specific)
ROADS TRAILS		Trail
		Other

City & Borough of Juneau
COMPREHENSIVE PLAN

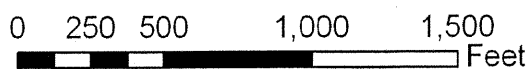
 Adopted October 20th, 2008
 Ordinance No. 2008-30

	New Growth Areas		Urban Service Area
	Mendenhall Wetlands State Game Refuge		Beach Access
			Streams

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



Attachment B



Beth McKibben

From: Shawn Miller <millersh@hotmail.com>
Sent: Saturday, September 14, 2013 8:13 AM
To: Beth McKibben
Subject: Request for Zone Change at 9050 Atlin Drive

Hi Beth,

I received the notice of public hearing regarding the property located at the intersection of Atlin Dr. and Mendenhall Loop Road. The property PCN is 5-B 16-0-137-001-0 and currently owned by Richard Harris. I will be unable to attend the hearing on September 24, 2013, but would like to submit the following written testimony:

"I oppose any development of this site. Noise involved from construction will adversely affect my quality of life as an adjacent property owner. I'm also concerned about potentially having very loud neighbors living across the street from me should this lot turn into high density housing."

Thanks for accepting my written testimony.

- Shawn Miller