MEMORANDUM

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

DATE: March 13, 2014

TO: Planning Commission

FROM: Beth McKibben, Planner
Community Development Department

FILE NO.: AME2013 0010

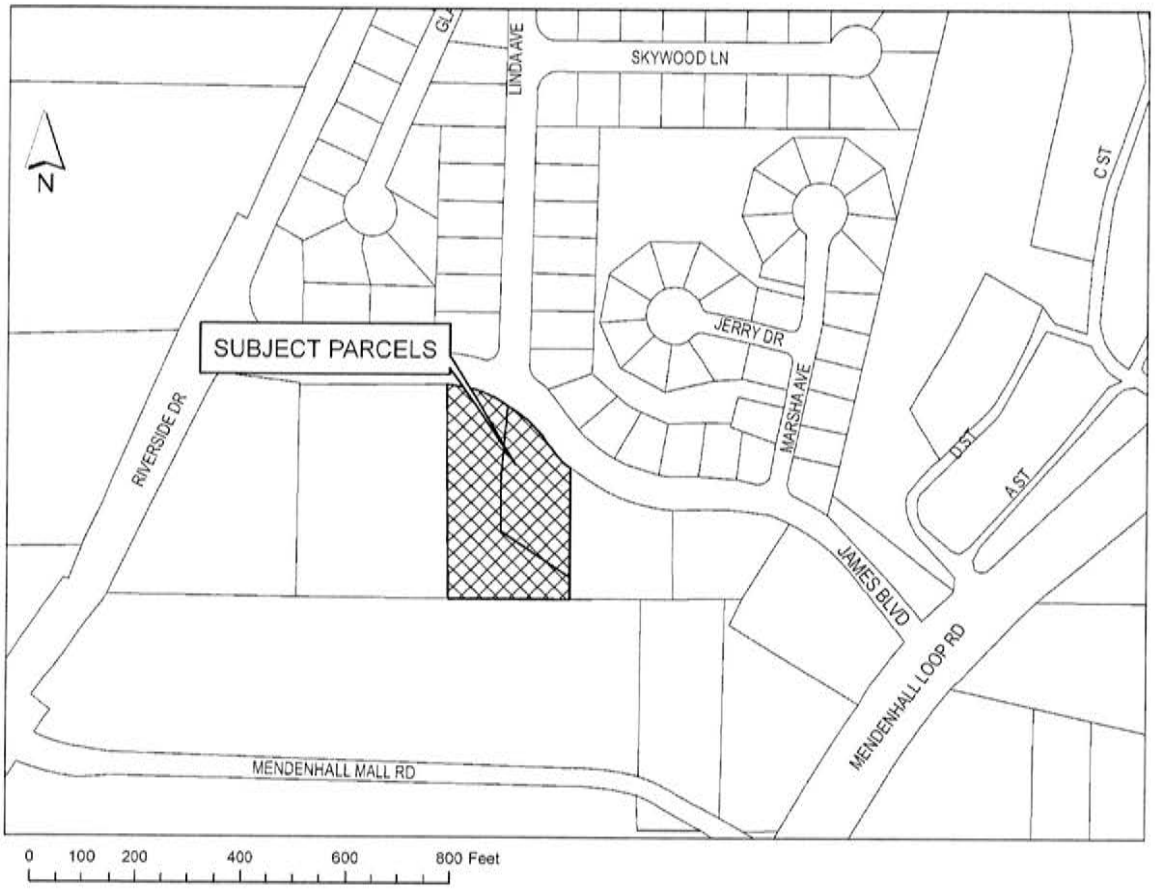
PROPOSAL: Zone Change Request from D18 to Light Commercial for USS1284 Lot A1 & Lot C1.

The City and Borough of Juneau Code states in CBJ 49.10.170(d) that the Commission shall make recommendations to the Assembly on all proposed amendments to this title, zonings and re-zonings, indicating compliance with the provisions of this title and the Comprehensive Plan.

GENERAL INFORMATION:

Applicant:	D&G Properties, Inc.
Property Owner:	D&G Properties, Inc.
Property Address:	9209 James Blvd. 9213 James Blvd.
Legal Description:	USS 1284 Lot A1 USS 1284 Lot C1
Parcel Code No.:	5-B21-0-100-001-1 5-B21-0-100-000-2
Site Size:	30,240 Square Feet 32,480 Square Feet
Zoning:	D18
Comprehensive Map:	Map G – Medium Density Residential
Utilities:	City water & sewer
Access:	James Boulevard
Existing Land Use:	Multi-family and vacant
Surrounding Land Use:	North – Multi-family, Single family-Duplex Residential South – Restaurants, Vacant, Bank East – Multi-family Residential West – JRC, Riverbend School, Multi-Family Residential

VICINITY MAP



ATTACHMENTS

A- Ordinance 2002-46
B- Zoning Map
C- Invitation to neighborhood meeting
D- Public Comments
E- Comprehensive Plan Map G

PROPOSAL

The applicant is seeking to rezone two D18 parcels to Light Commercial. Initially the application was for a Comprehensive Map amendment and a rezone but because of the procedural problems with map amendments, the application was amended to a rezone request only.

BACKGROUND

The request includes two parcels, USS 1284 Lot A1 and Lot C1. Lot A1 is 30,240 square feet in area and Lot C1 is 52,480 square feet. Each lot is developed with 16 units of multi-family housing. The units received their certificates of occupancy in 1984 and the zoning was noted as RML, which allowed 35 units per acre. While the development is on two lots it has been designed as one cohesive site with a common green space in the center. Each lot has a driveway accessing James Boulevard.

The applicant also owns the adjacent 2.6 acre vacant lot to the west, which is zoned Light Commercial. The applicant has indicated they would like to further develop these two lots for which they are seeking rezoning, and a portion of the adjacent LC lot, with additional multi-family units. However, under the current D18 zoning, density has been maximized. Rezoning to LC increases the allowed density from 18 to 30 units per acre.

Prior to 1984 the area was zoned RML, multi-family residential, which allowed a density of 35 dwellings per acre. In 1984 a major update of the Comprehensive Plan for the CBJ was completed, and the subject parcels were designated Medium Density Residential in the Comprehensive Plan Land Use Maps. In 1987, zoning districts were amended on a borough wide scale to implement the Comprehensive Plan. The zoning for these parcels was changed to D-18, multi-family residential. Although the zoning was changed, the new zoning generally included the uses types and boundaries of the old zoning districts. The major change was the reduction in the maximum density allowed.

In 1995 a number of revisions were made to the Comprehensive Plan Land Use Maps. The adjacent lots (site of JRC) and the commercial lands to the south were designated Mixed Use. The intent of this Comprehensive Plan amendment is that this area will be developed with a mix of commercial as well as higher density residential development. In 2002 the two lots immediately to the west, the site of the JRC building and the vacant parcel next to it that is used as overflow parking, were rezoned to Light Commercial, with conditions (attachment A). In the 2002 staff report for the JRC rezone request it was noted that to implement the Comprehensive Plan a new mixed-use zoning district was needed to define what mix of uses that will be allowed and standards for development. The Mixed Use and Mixed Use 2 zoning districts were created in 1998, which leads staff to speculate that yet a third type of mixed use zoning district was envisioned. In the 2013 Comprehensive Plan update the designation was renamed Traditional Town Center (TTC). The purpose of this change was to differentiate the comprehensive plan land use designations from the zoning districts in Title 49. A Comprehensive Plan map

designation might encompass several zoning districts. The subject lots remained as Medium Density Residential in the 2013 Comprehensive Plan.

The immediate neighborhood has an interesting mix of uses and zoning. As noted above, the two lots to the west, between the subject parcels and Riverside Drive are zoned Light Commercial, however, the rezone was conditioned so that many of the uses allowed in the LC zoning district were prohibited for these lots (attachment A). The two subject lots and next two lots to the east are zoned D18 and developed as multi-family residential. The next lot to the east, adjacent to Mendenhall Loop Road is zoned LC and serves as parking and outdoor growing space for Glacier Gardens commercial green house. On the north side of James Boulevard starting on the west, adjacent to Riverside Drive the first three lots are zoned D18 and are developed as multi-family residential. There is one lot of D5 zoning that has duplex on it, and then east of Linda Drive the next eight lots are zoned D5 and developed as single family residential, with Glacier Gardens commercial greenhouse adjacent to Mendenhall Loop Road, being zoned D15. To the south of the subject parcels is the Mendenhall Mall area. The neighborhood north is zoned D5 and is developed with single family and duplexes.

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 17, 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 March 14, 2014 and March 24, 2014, 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

There are no documented eagle's nests within 330 feet of the site. There are no anadromous fish streams near enough for streamside setback requirements, and the land is not within the Wetlands Management Plan Study Area.

Additionally, whatever development is proposed on the subject property will have to follow the applicable permitting requirements, at which time impacts to habitat will be reviewed.

Public Input

On January 15, 2014 the applicant and planning staff held a neighborhood meeting at the Mendenhall Public Library. A letter of invitation was sent to property owners within 500 feet of the lot (Attachment C), and an ad was placed in the Juneau Empire. One member of the public attended the meeting, where planning staff described the rezone review process and a representative of the property owner was available to answer questions. At the writing of this staff report staff has received two public comment in opposition to the request (attachment D).

COMPLIANCE WITH THE COMPREHENSIVE PLAN

CBJ 49.75.120, Restrictions on Rezonings 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 and all new zoning or re-zoning designations are required to be substantially consistent with the Comprehensive Plan and associated land use maps. 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 E.

The site is located in Subarea 4 of the 2013 Comprehensive Plan (map G). The plan shows this lot as MDR (Medium Density Residential). The 2013 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, 2 and 8 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."*

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 of efficient use of parking by incorporating housing over 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 spaces."*

There are many policies in the Comprehensive Plan that support the need for more housing, particularly affordable housing, and the applicant has indicated that their plan is to develop more multi-family housing. However, when evaluating a rezone request the potential impacts of all uses that can be permitted in the requested zoning district must be considered, and the Plan speaks to minimizing residential land use conflicts.

LAND USE

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

> *The D-18, residential district, is intended to accommodate primarily multi-family residential development at 18 units per acre. This is a high density multifamily zoning district intended to accommodate mid-rise type development.*

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

As mentioned above the two lots have a combined area of 1.89 acres. They are currently developed with 16 units of multi-family housing on each lot for a total of 32 units. The two lots have been developed as a cohesive unit. With D18 zoning the maximum density is 34 units. If

the subject site is rezoned to LC the density increases to 30 units per acre and the maximum density of the two lots increases to 56 units. However, given the need for parking and vegetative cover, and the height restriction of 45 feet, it is unlikely that the maximum density could be achieved.

ACCESS

The two lots for which rezoning has been requested both front on James Boulevard which is considered a residential neighborhood street, with sidewalks on both sides. It primarily serves as access to the lots fronting on it as well as the primarily single family residential neighborhood to the north. The western end of James Boulevard is in the school zone for Riverbend Elementary and a crossing guard assists students across Riverside Drive from James Boulevard before and after school.

If additional multi-family units are added there will be an increase to traffic. However, it won't be enough to require a traffic impact analysis.

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 is an expansion of an existing zoning district, however, the zoning of the adjacent lots are heavily conditioned and many of the uses allowed in LC are not permitted at this location. The parcel is not greater than 2 acres. 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 to 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 heavily conditioned rezone of the adjacent JRC lots indicates that at the time LC was not considered appropriate for the neighborhood. If this rezone is approved, a unique outcome of the requested rezone is that to the east there will be two lots (which have one parcel ID number) with D18 zoning and a total area of 1.6 acres. These two D18 zoned lots will not be contiguous to any other D18 zoned lots. If these lots were zoned something else and requested D18 zoning we could not consider the request as it would be less than 2 acres and would not be an expansion of an existing zoning district. Title 49 only allows sites greater than 2 acres to be considered for rezoning if they are not an expansion of an existing zoning district. This means that one result of the rezone would be to leave a 1.6 acre D18 island which would be inconsistent with the very criteria use to evaluate the requested rezone.

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.

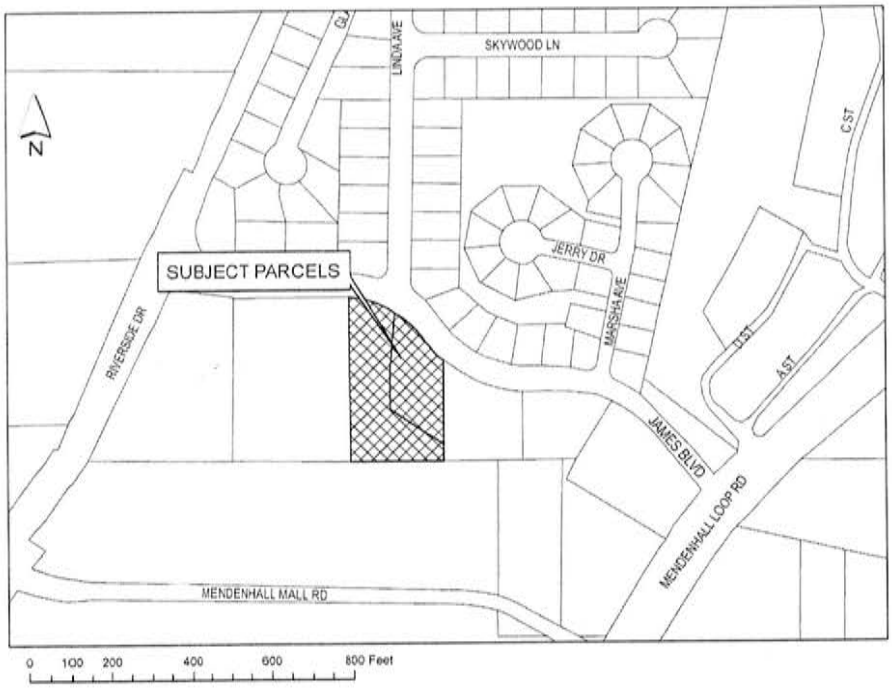
2. D18 zoning does not violate the Land Use maps of the Comprehensive Plan and is consistent with Map G. LC zoning does not substantially conform with the Land Use maps of the Comprehensive Plan.

3. The rezoning is not 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 D18 zoning district.

NOTICE OF PUBLIC HEARING



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

SHIP TO:

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

PROPOSAL: Zone Change Request from D18 to Light Commercial for USS1284 Lot A1 & Lot C1.

File No:	AME2013 0010	Applicant:	D&G Properties , Inc.
To:	Adjacent Property Owners	Property PCN:	5-B21-0-100-001-1; 000-2
Hearing Date:	March 25, 2014	Owner:	D&G Properties, Inc.
Hearing Time:	7:00 PM	Size:	1.899 Acres
Place:	Assembly Chambers	Zoned:	D-18
	Municipal Building	Site Address:	9209 & 9213 James Boulevard
	155 South Seward Street	Accessed Via:	Mendenhall Loop Road
	Juneau, Alaska 99801		

PROPERTY OWNERS PLEASE NOTE:

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

If you have questions, please contact Beth McKibben at beth_mckibben@ci.juneau.ak.us or at 586-0465.

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

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

Date notice was printed: February 21, 2014

MAP Amendment

~~ZONE~~ CHANGE APPLICATION

Project Number	Project Name (15 characters)	Case Number	Date Received
		AME 20130010	7/17/13

LEGAL DESCRIPTION(S) AND LIMITS OF PROPERTY TO BE REZONED:

USS 1284 LA1 30,249 SF
USS 1284 LC1 52,480 SF
82,720 Total Area - 1.899 Ac.

IS THIS AN EXPANSION OF AN EXISTING ZONE? [X] Yes [ ] No

Total Land Area of Proposed Change 1.899 acres
Current Zone(s) MF 18
New Zone Requested LC
Comp Plan Designation
Comp Plan Map

TYPE OF ZONE CHANGE REQUESTED:
[X] Regular [ ] Transition

SCANNED to Holly

HAS THIS OR A SIMILAR ZONE CHANGE BEEN REQUESTED IN THE PREVIOUS 12 MONTHS?
[ ] Yes [X] No

UTILITIES AVAILABLE: WATER: [X] Public [X] On Site SEWER: [X] Public [X] On Site

PURPOSE OF THE REQUESTED ZONE CHANGE:
Map Change: To meet Needs of Community Housing & recognize Patterns of development that is over 80% Light Commercial surrounding Subject Property

IS THERE A PROPOSED USE OF THE LAND? [X] Yes [ ] No
PROPOSED BUFFERS TO ADJACENT ZONES? Parking [X] Yes [ ] No
DESCRIBE (INCLUDING TYPE AND DENSITY OF PROPOSED DEVELOPMENT):
Change in MAP to Substantially Conform with intent & Landuse maps in existence to accomadate development of Housing. Ordinance 2012-24 Light Commercial

DESCRIBE ANY POTENTIAL IMPACTS TO PUBLIC INFRASTRUCTURE:
STREETS: None
WATER: None
SEWER: None

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	$ 600.00			
Admin. of Guarantee	$			
Adjustment	$			
Pub. Not. Sign Fee	$ 50.00			
Pub. Not. Sign Deposit	$ 100.00		~~CDD~~	
Total Fee	$ 750.00		CDD4014	

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

ZONE CHANGE APPLICATION

Project Number	Project Name (15 characters)	Case Number	Date Received
		AME20130010	7/17/13

LEGAL DESCRIPTION(S) AND LIMITS OF PROPERTY TO BE REZONED:

US1284 LA1 30,240 SqFt
US1284 LC1 32,480 SqFt
62,720 SqFt Total Area 1.899Ac.

IS THIS AN EXPANSION OF AN EXISTING ZONE? [X] Yes [ ] No

Total Land Area of Proposed Change 1.89 acres
Comp Plan Designation _____
Current Zone(s) MF 18
Comp Plan Map _____
New Zone Requested LC

TYPE OF ZONE CHANGE REQUESTED:

[X] Regular [ ] Transition

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

[ ] Yes [X] No

UTILITIES AVAILABLE: WATER: [X] Public [X] On Site SEWER: [X] Public [X] On Site

PURPOSE OF THE REQUESTED ZONE CHANGE:

1. Maximize Land with CB) Allowable Potential Housing Needs
2. Conform with Patterns of Development in Surrounding Zoning
3.

IS THERE A PROPOSED USE OF THE LAND? [X] Yes [ ] No

PROPOSED BUFFERS TO ADJACENT ZONES? [X] Yes [ ] No

DESCRIBE (INCLUDING TYPE AND DENSITY OF PROPOSED DEVELOPMENT):

Light Commercial 50 units Per Acre & 55 Feet in Height — We do not know the Potential for this Property it will be less than LC & Greater than MF18

DESCRIBE ANY POTENTIAL IMPACTS TO PUBLIC INFRASTRUCTURE:

STREETS: None
WATER: None
SEWER: None

TO BE COMPLETED BY THE APPLICANT

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	$			
Admin. of Guarantee	$			
Adjustment	$			
Pub. Not. Sign Fee	$			
Pub. Not. Sign Deposit	$			
Total Fee	$			

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

DEVELOPMENT PERMIT APPLICATION

Project Number: AME20130010	CITY and BOROUGH of JUNEAU	Date Received: 7/17/13
Project Name (City Staff to Assign Name)		

PROJECT / APPLICANT INFORMATION

Project Description: 1 Map Amendment & Zone change

PROPERTY LOCATION

Street Address: 9209 & 9213 Jamaa BLVD.	City/Zip: 99801
Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot): USS 1284 LA1 & USS 1284 LC1	
Assessor's Parcel Number(s): 5B2101000011	5B2101000002

LANDOWNER/ LESSEE

Property Owner's Name: D&G Properties Inc	Contact Person: Jeff Grant	Work Phone: 907 780 4566
Mailing Address: 5165 Glacier Hwy	Home Phone:	Fax Number: 907 780 6446
E-mail Address: Kim@westmarkofjuneau.com	Other Contact Phone Number(s): 907.321.1184	

LANDOWNER/ LESSEE CONSENT

****Required for Planning Permits, not needed on Building/ Engineering Permits****

I am (we are) the owner(s)or lessee(s) of the property subject to this application and I (we) consent as follows:

A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.
B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.

X Jeffrey N Grant — Landowner/Lessee Signature — Date: July 2nd 2013

X _____ — Landowner/Lessee Signature — Date: _____

NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.

APPLICANT

If the same as OWNER, write "SAME" and sign and date at X below

Applicant's Name: D&G Properties INC	Contact Person: Fred Morino	Work Phone: 907 780 4566
Mailing Address: 5165 Glacier Hwy	Home Phone: w. 780 4566	Fax Number: 907 780 6446
E-mail Address: fredmorino@yahoo.com	Other Contact Phone Number(s): 907.321.2539	

X Jeffrey N Grant (Jeffrey N Grant) — Applicant's Signature — Date of Application: July 2nd 2013

STAFF APPROVALS

----------OFFICE USE ONLY BELOW THIS LINE----------

✓	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			
✓	Zone Change Application		7/17/13	AME20130010
	Other (Describe) _____			

***Public Notice Sign Form filled out and in the file.

Comments:

Permit Intake Initials: [illegible]

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

Buffer Maintenance

1

5165 Glacier Highway
Juneau, Alaska 99801
907-780-4566 Fax 780-6646
Cell 907-321-1184
email fredmorino@yahoo.com

D&G Properties, Inc.

August 9, 2013

CBJ Planning
Juneau, Alaska 99801

Subject: Supplemental Withdraw *Map Amendment*
***Revised* only *Rezoning* D18 to Light Commercial**
5B2101000011, 5B2101000021 D&G Properties, Inc.,
dba James Place Apartments

Dear CBJ Staff:
We would like to revise our initial packet submitted on Wednesday, July 17th. We are withdrawing our request for a Map Amendment at this time.

This request is for a Zone change from D18 to Light Commercial. Please except this letter as our, "purpose of requested to fully utilize the property and help facilitate needed housing units for the community." **We are requesting a Zone Change believing this would substantially conform to existing zoning and maximize benefit for the community**. The area abuts existing Light Commercial & mature condos, which are again next to Light Commercial (as per attached plats). The contiguous properties have 32 existing units (on as built page 10 of attachments), lending this parcel to Maximum density assisting the community in its effort to minimize the housing shortage. Zoning as per attached site plans and maps.

Thank you for your assistance with this request to withdraw the Map Amendment and continue with the application for Zone Change. . If you should need any other information please let us know.

Sincerely,

Fred Morino

James Place

5165 Glacier Highway
Juneau, Alaska 99801
907-780-4566 Fax 780-6646
Cell 907-321-1184
email fredmorino@yahoo.com

D&G Properties, Inc.

July 17, 2013

CBJ Planning
Juneau, Alaska 99801

Subject: Map Amendment & Rezoning D18 to Light Commercial 5B2101000011, 5B2101000021 D&G Properties, Inc., dba James Place Apartments

Dear CBJ Staff:
After conversation and initial packet review on Thursday, July 11th, Please except this letter as our, "purpose of requested to fully utilize the property and help facilitate needed housing units for the community." **We are requesting a Map Amendment & Zone Change** simultaneously due to the time of year and the recommendation of staff. The area abuts existing Light Commercial & mature condos, which are again next to Light Commercial (as per attached plats). The contiguous properties have 32 existing units (on as built page 10 of attachments), lending this parcel to Maximum density assisting the community in its effort to minimize the housing shortage. Zoning as per attached site plans and maps.

At this time the over **1.89** acre property is underutilized. This land and immediate neighborhood can absorb an increase the number of units. This change would benefit full time housing, for Airport workers, Teachers, and the retail employees concentrated in the area. Thank you for adopting Ordinance 2012-24 increasing height and density on light commercial property this will help housing.

CBJ services; water, sewer, snow removal, fire & police would not need to be increased to service this Map Amendment & rezoning. This needed housing would have the least impact and the most advantage in this location for the community.

Thank you for your assistance with this request. If you should need any other information please let us know.

Sincerely,

Fred Morino

James Place

Parcel #
5B2101000011

Street Address
JAMES BLVD 9209

Legal Description 1
USS 1284 L A1

Legal Description 2

Owner's Name and Address
D & G PROPERTIES INC
5165 GLACIER HWY
JUNEAU AK
99801

Previous Owner	Site Value	Building PV	Total PV
DOUGHERTY MARK	$200000.00	$877600.00	$ 1077600.00
Use Code	**Exempt**	**Zoning**	**Tax Year**
Apartment Building	No Data	-Multi-Family -5,000 sq.ft. minimum lot size -18 units per acre	2013
Number of Units	**Year Built**	**Effective Age**	**Style**
016	1983	N/A	2
Total Rooms	**Bedrooms**	**Baths**	**Total FIN Sq. Ft.**
N/A	N/A	N/A	N/A
Total Basement	**Attic**	**Attic Area**	**Garage Type**
N/A	N/A	N/A	N/A
Garage Description	**Garage Area**	**Lot Size**	**Last Trans**
N/A	N/A	30240 sq. ft.	8107
City Water Available	**City Sewer Available**	**Water System**	**Sewer System**
Yes	Yes	N/A	N/A
Exempt Land	**Exempt Building**	**Exempt Total**	**Road/No Road**
N/A	N/A	N/A	Roaded

Back

Parcel #	Street Address	Legal Description 1
5B2101000021	JAMES BLVD 9213	USS 1284 L C1

Owner's Name and Address

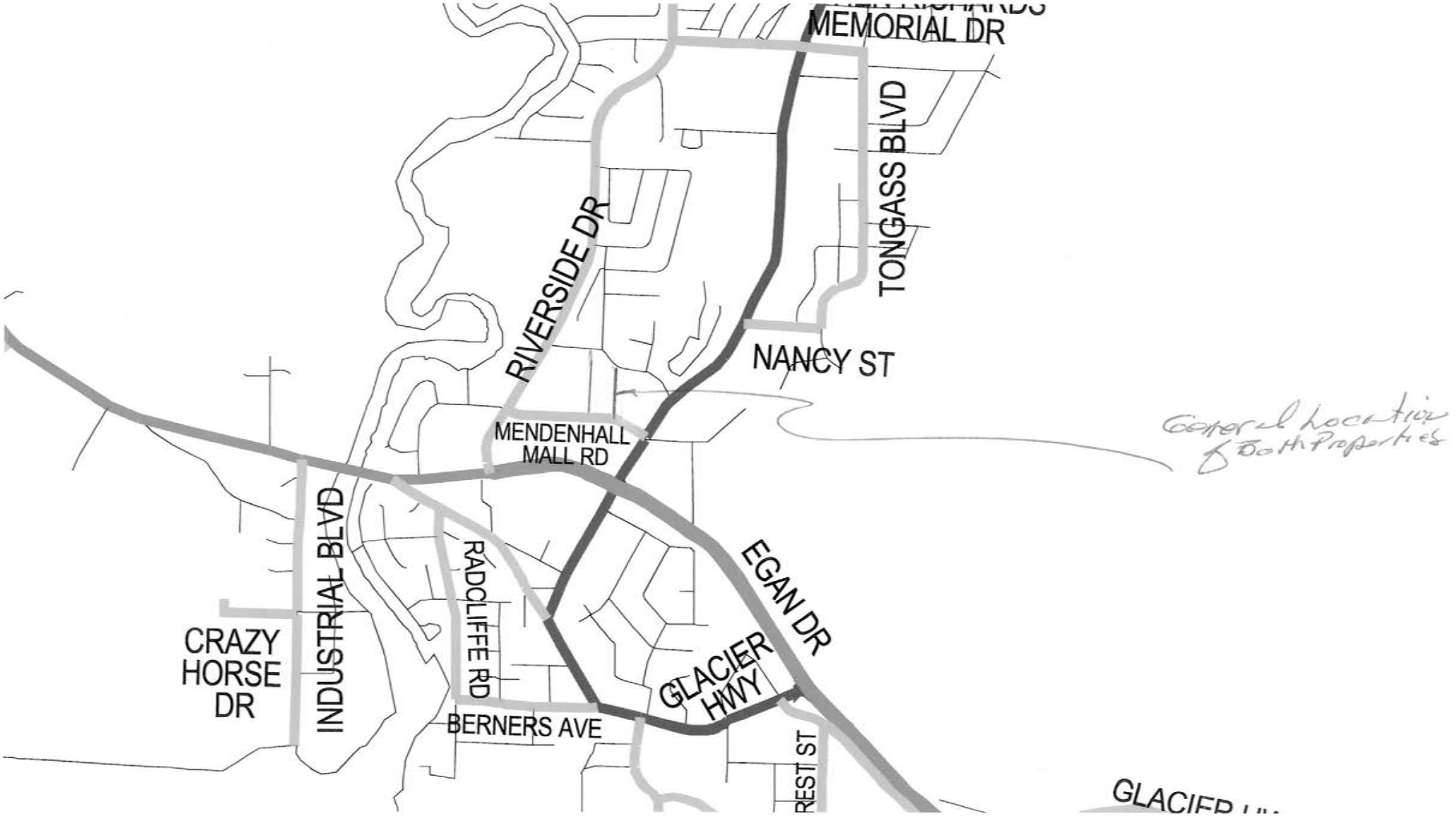
D & G PROPERTIES INC
5165 GLACIER HWY
JUNEAU AK
99801

Legal Description 2

Previous Owner	Site Value	Building PV	Total PV
DOUGHERTY MARK	$200000.00	$859500.00	$ 1059500.00
Use Code	**Exempt**	**Zoning**	**Tax Year**
Apartment Building	No Data	-Multi-Family -5,000 sq.ft. minimum lot size -18 units per acre	2013
Number of Units	**Year Built**	**Effective Age**	**Style**
016	1982	N/A	No Data
Total Rooms	**Bedrooms**	**Baths**	**Total FIN Sq. Ft.**
N/A	N/A	N/A	N/A
Total Basement	**Attic**	**Attic Area**	**Garage Type**
N/A	N/A	N/A	N/A
Garage Description	**Garage Area**	**Lot Size**	**Last Trans**
N/A	N/A	52480 sq. ft.	8210
City Water Available	**City Sewer Available**	**Water System**	**Sewer System**
Yes	Yes	N/A	N/A
Exempt Land	**Exempt Building**	**Exempt Total**	**Road/No Road**
N/A	N/A	N/A	Roaded

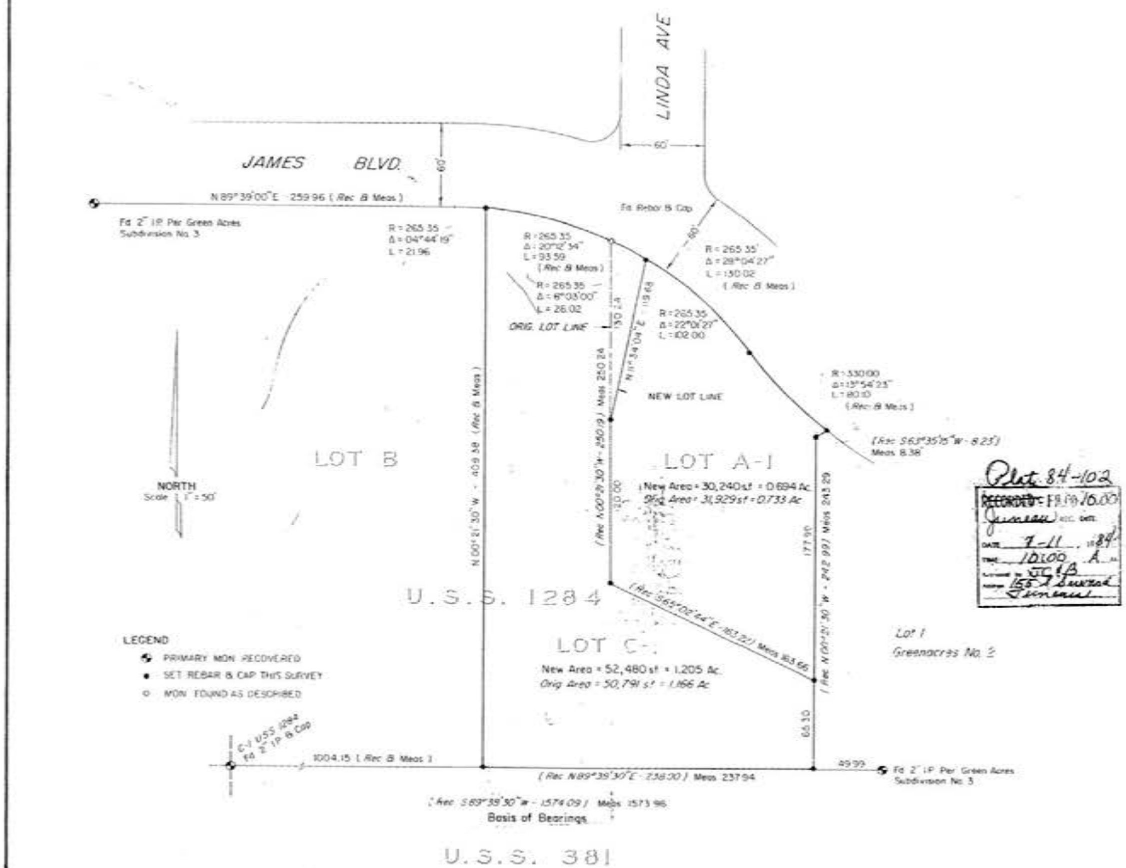
Back

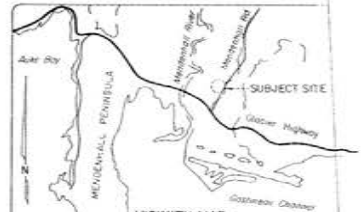
3.81097


MEMORIAL DR
TONGASS BLVD
RIVERSIDE DR
NANCY ST
MENDENHALL MALL RD
General location of both properties
INDUSTRIAL BLVD
RADCLIFFE RD
EGAN DR
CRAZY HORSE DR
GLACIER HWY
BERNERS AVE
REST ST
GLACIER

9


IVEREDGE
Riverbend Housing
RIVERSIDE DR
JAMES BLVD
GREEN
GREEN ACR
MARSHA AVE
JERRY DR
D ST
MENDENHALL MALL RD
100
105
104
138
2841
TR A
B
C1
A1
9209
9195
9150
9148
9116 9114 9112 9110 9108 9106 9104 9102
5B160
USS 381
M3
TR C
LC
Both Subject Lots





VICINITY MAP
Source: USGS Quad "Juneau (B-2) Alaska"
Scale: 1 Inch = 1 Mile

CERTIFICATE OF OWNERSHIP

I (We) HEREBY CERTIFY that I am (We are) the owner(s) of the property shown and described hereon and that I (We) hereby adopt this Plan of Subdivision with my (our) Free Consent and dedicate all Streets, Alleys, Parks and other open spaces to Public or Private Use as Noted.

Owner [signature] Date July 3

Witness [signature] Date 7/3/84

Owner [signature] Date July 3, 1984

Witness Patricia R. Hickok Date July 3, 1984

NOTARY'S ACKNOWLEDGEMENT

STATE OF ALASKA
FIRST JUDICIAL DISTRICT } ss.

THIS IS TO CERTIFY that on this 3rd day of July before me the undersigned, a Notary Public in and for the State of Alaska, Commissioned and Sworn, appeared HUGH GRANT & MARK DOUGHERTY me known and known to me to be the persons described in and who executed the foregoing instrument, and acknowledged to me that they signed and sealed the same freely and voluntarily for the uses and purposes therein mentioned.

Witness my hand and official seal the day and year in this certificate first above written.

[signature]
NOTARY PUBLIC FOR ALASKA
My commission expires 05-06-86

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY that I am Registered & practicing ... [illegible]

[signature] 6-9-84
Signed Date
Registration No. 3171-S

CERTIFICATE OF APPROVAL OF SHORT PLAT

THIS IS TO CERTIFY that the Subdivision Plat shown hereon has been found to comply with the Short Plat Subdivision regulations of the City and Borough of Juneau, Alaska, CBJ 49.35 ... and that said Plat has been approved ... [illegible] ... Juneau, Alaska

Dated 7/10/84

[signature]
Director
City and Borough of Juneau
Planning Department

Attest

Clerk
City and Borough of Juneau

CLIENT: HUGH GRANT

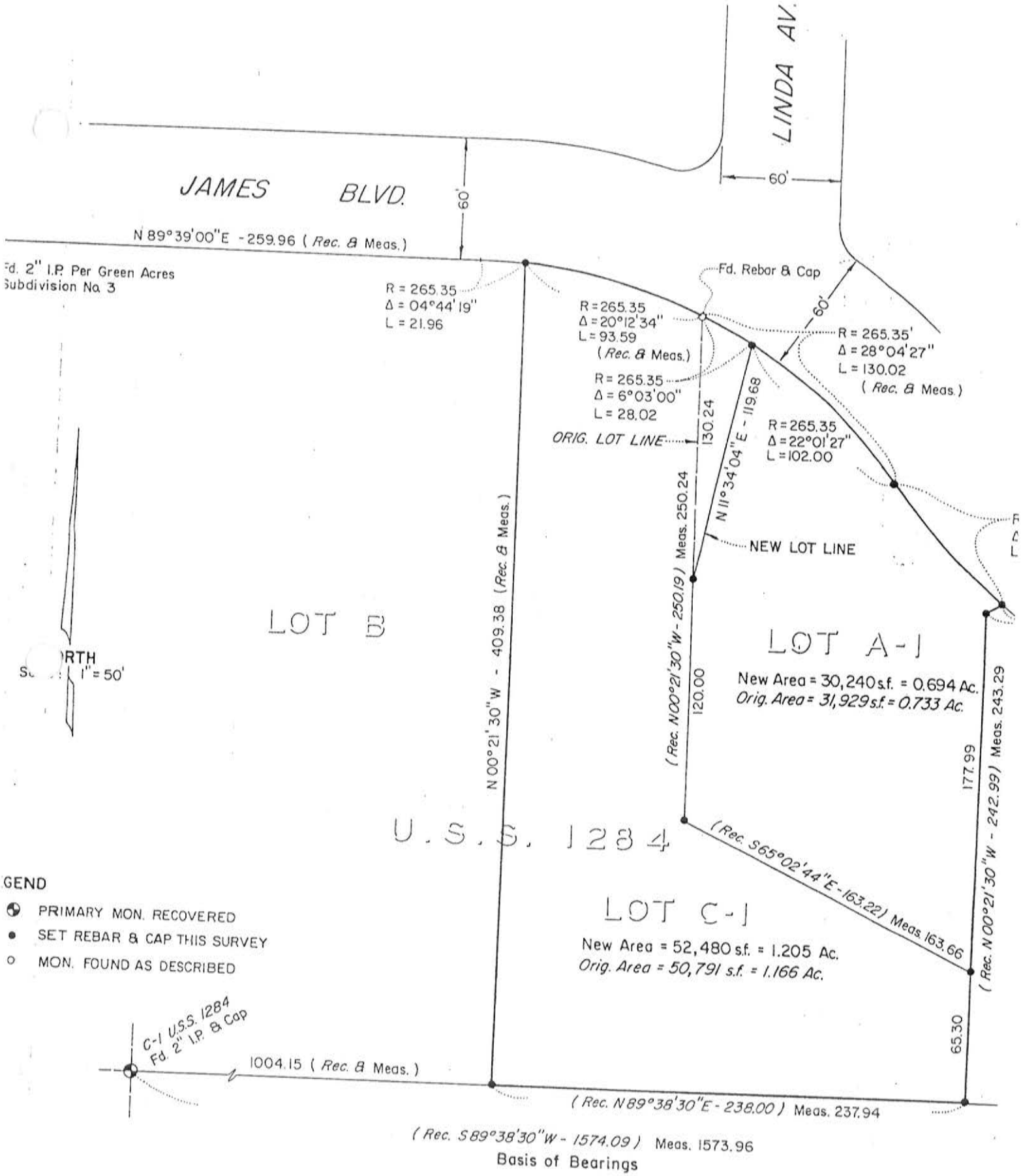
EMPS ENGINEERING

BOUNDARY ADJUSTMENT SURVEY
Lots A and C, within a Fraction of U.S. SURVEY No. 1284
Juneau, Alaska

Sheet 1 of 1

Job No.

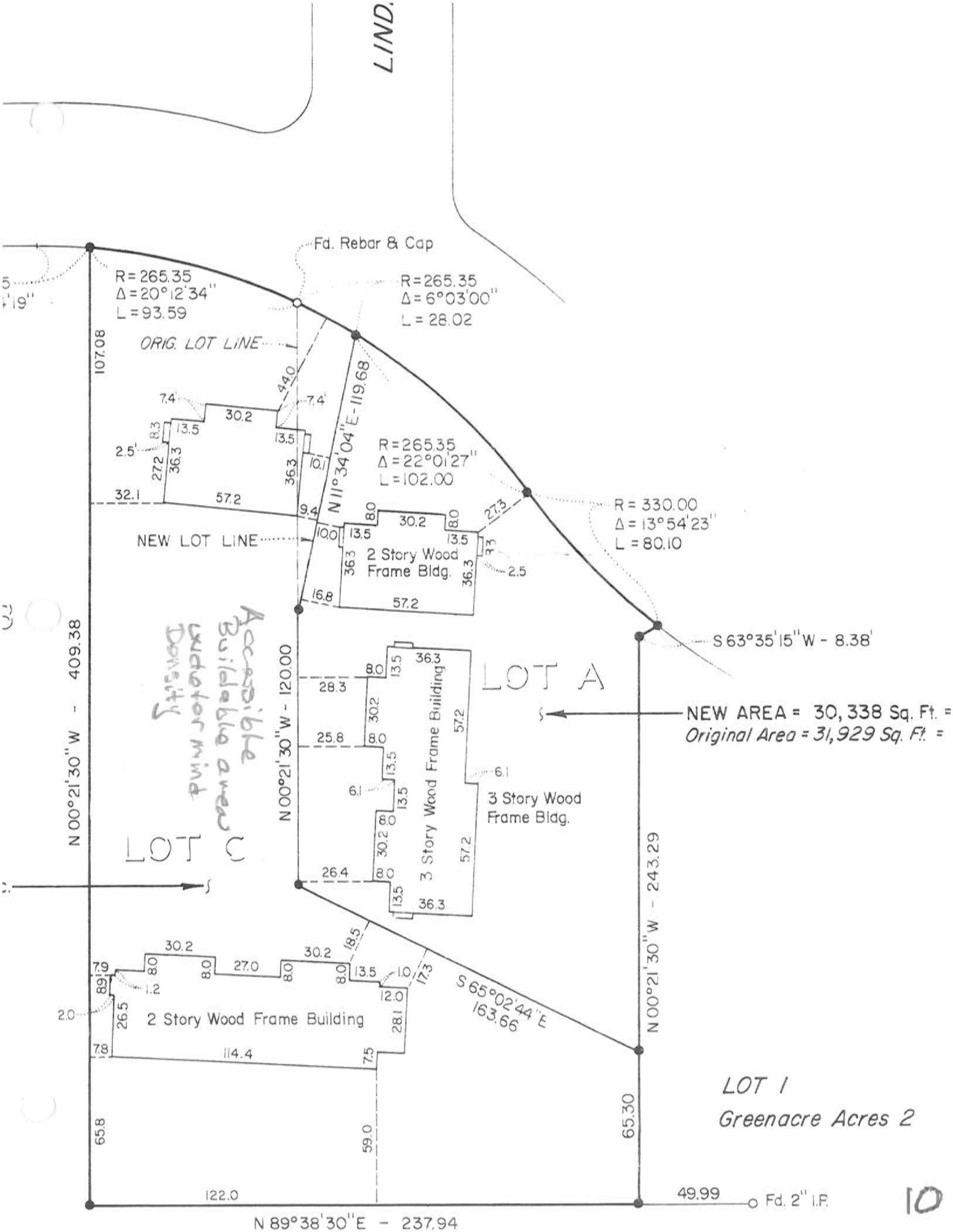
USS 1284 Lots A & C



ENT: HUGH GRANT

EMPE ENGINEERING

9


LIND.
Fd. Rebar & Cap
R = 265.35
Δ = 20°12'34"
L = 93.59
R = 265.35
Δ = 6°03'00"
L = 28.02
ORIG. LOT LINE
NEW LOT LINE
N 11°34'04"E - 119.68
R = 265.35
Δ = 22°01'27"
L = 102.00
R = 330.00
Δ = 13°54'23"
L = 80.10
S 63°35'15"W - 8.38'
2 Story Wood Frame Bldg.
3 Story Wood Frame Building
3 Story Wood Frame Bldg.
2 Story Wood Frame Building
LOT A
LOT C
NEW AREA = 30,338 Sq. Ft. =
Original Area = 31,929 Sq. Ft. =
N 00°21'30"W - 409.38
N 00°21'30"W - 120.00
N 00°21'30"W - 243.29
S 65°02'44"E 163.66
Accessible Buildable area under min Density
LOT 1
Greenacre Acres 2
N 89°38'30"E - 237.94
Fd. 2" I.P.
49.99
122.0
107.08
65.8
59.0
65.30

Presented by: The Manager
Introduced: 12/02/2002
Drafted by: J.R. Corso

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2002-46

An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Tract A, Lakeside Subdivision, USS 1284, also known as the Juneau Racquet Club Valley Site and Lot B, USS 1284, from D-18, Multi-family Residential to LC, Light Commercial and Further Amending the Zoning Map to Change the Zoning of a Portion of 9151 James Boulevard from D- 18, Multi-family Residential, to LC, Light Commercial.

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough code.

Section 2. Amendment of Official Zoning Map. The Official Zoning Map of the City and Borough adopted pursuant to CBJ 49.25.110 is amended to change the zoning of Tract A, Lakeside Subdivision, USS 1284, also known as the Juneau Racquet Club Valley Site and Lot B, USS 1284, from D-18, Multi-family Residential to LC, Light Commercial and Further Amending the Zoning Map to Change the Zoning of a Portion of 9151 James Boulevard from D-18, Multi-family Residential, to LC, Light Commercial, as shown on the attached map.

Section 3. Conditions. Pursuant to CBJ 49.75.130, the change in zoning is subject to the condition that the property rezoned shall not be eligible for any of the following uses:

a. Indoor storage, sales, or display of goods covering 5,000 square feet or 20 percent of the gross floor area, whichever is less
b. Outside merchandising of goods
c. Horseback riding stables
d. Penal or correctional facilities
e. Carry-out or delivery service, drive-in service, and service and consumption outside fully enclosed structure allowed
f. Gas station
g. Boat sales, rental, repairs and maintenance
h. Storage outside of completely enclosed structures
i. Veterinarian
j. Kennel
k. Aquaculture
l. Sand or gravel operations
m. Reclamation landfill not associated with a specified use

n. Spring water bottling
o. Post office
p. Military reserve, National Guard Centers
q. Open Air Market, Retail Sale
r. Open Air Market, Non-retail sales
s. Cemetery

Section 4. Effective Date. This ordinance shall be effective 30 days after its adoption.

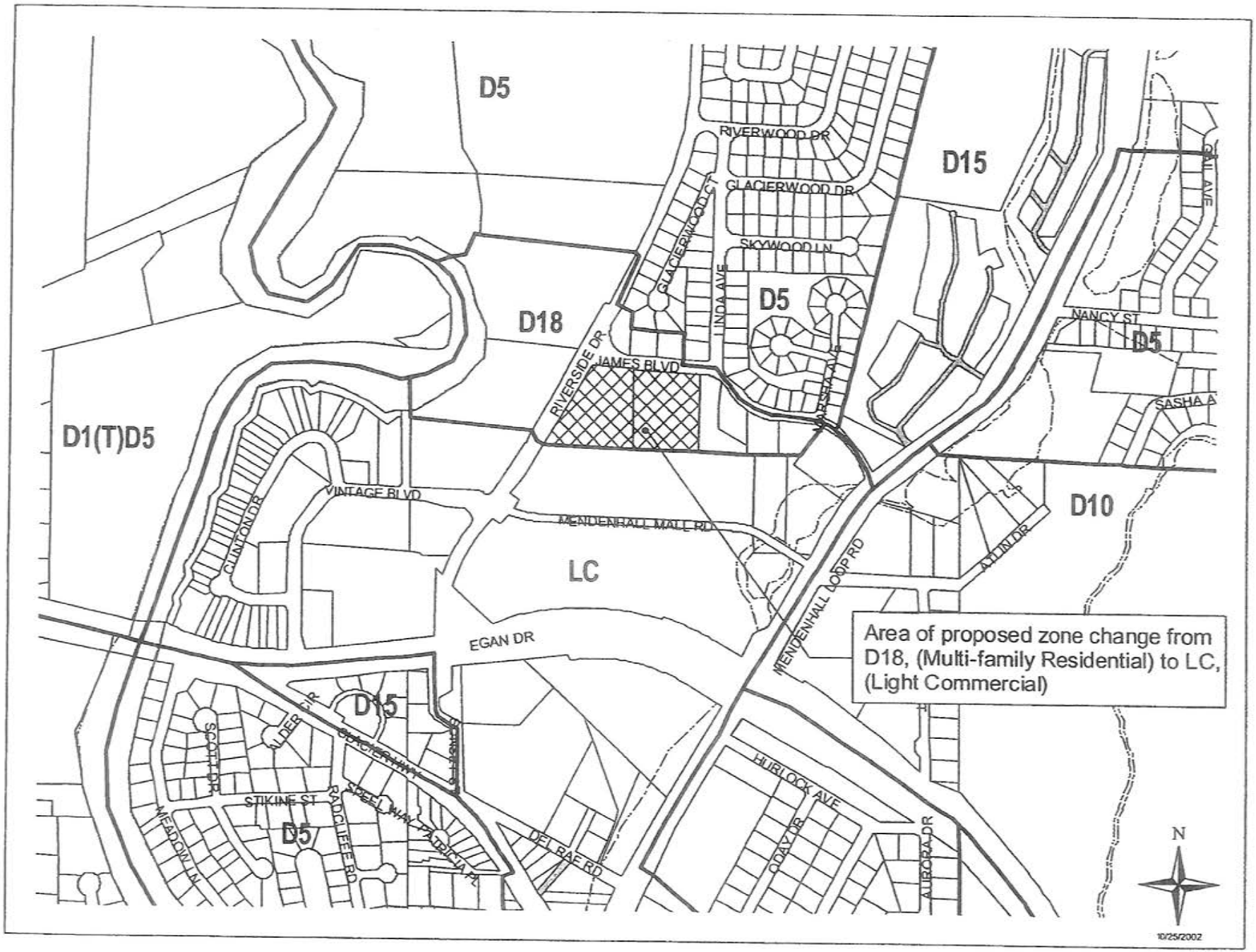
Adopted this 16th day of December, 2002.

Sally Smith, Mayor

Attest:

Laurie J. Sica, Clerk

Vote: Unanimous


D5
D18
D1(T)D5
D15
D5
D5
D5
D10
LC
D15
D5
RIVERWOOD DR
GLACIERWOOD DR
GLACIERWOOD CT
SKYWOOD LN
LINDA AVE
RIVERSIDE DR
JAMES BLVD
NANCY ST
SASHA A
VINTAGE BLVD
CLINTON DR
MENDENHALL MALL RD
MENDENHALL LOOP RD
EGAN DR
ALDER CIR
GLACIER HWY
SCOTT DR
STIKINE ST
RADCLIFFE RD
MEADOW LN
DEL RAE RD
HURLOCK AVE
AURORA DR
Area of proposed zone change from D18, (Multi-family Residential) to LC, (Light Commercial)
N
10/25/2002

MINUTES

PLANNING COMMISSION MEETING
CITY AND BOROUGH OF JUNEAU
Johan Dybdahl, Chair

REGULAR MEETING
November 12, 2002

Chair Dybdahl called the Regular meeting of the City and Borough Planning Commission to order at 7:00 p.m., in the Assembly Chambers of the Municipal Building.

I. ROLL CALL

Commissioners present: Mike Bavard, Dan Bruce, Johan Dybdahl, Maria Gladziszewski, Marshal Kendziorek, Mark Pusich, Jim Scholz, Jody Vick

Commissioners absent:

A quorum was present.

Staff present: Dale Pernula; Director, CDD; Oscar Graham, CDD Planning Supervisor; Tim Maguire; CDD Principal Planner; Terri Camery, CDD Planner; Greg Chaney, CDD Planner; Monique Wheeler; CDD Planner; Chris Beanes, CDD Planner

II. APPROVAL OF MINUTES -

Minutes - October 22, 2002

MOTION: *by Mr. Bavard to approve the Minutes of October 22, 2002, as corrected.*

There was no objection to the Motion, and it was so ordered.

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS – NONE

IV. RECONSIDERATION OF THE FOLLOWING ITEMS - NONE

V. CONSENT AGENDA

Chair Dybdahl announced that there were four items on the Consent Agenda and he inquired if anyone from the public wished to comment. A member of the public requested that VAR2002-00046 was removed. Also, Mr. Vick noted for the record, that he is related to the owner of North Pacific Erectors, but that there were no financial ties. Ms. Gladziszewski noted for the record that she had worked on the port office project in a limited way at the very preliminary stages. She did not know about the vacation, however. Chair Dybdahl said that neither Commissioner had a conflict of interest.

MOTION: *by Mr. Pusich to approve the Consent Agenda as amended.*

There were no objections, and the Consent Agenda, as listed below, was approved.

SUB2002-00029
Proposal to Vacate a 48' x 32' Right-of-Way (leading to old ferry terminal parking lot), so it can be consolidated with the adjacent city lands, to create one lot for the construction of a new visitors facility and port office.

Location: 470 SOUTH FRANKLIN STREET
Applicant: CBJ ENGINEERING

Staff recommendation: that the Planning Commission adopt the director's findings and approve the request to vacate that portion of the Franklin Street Right-of-Way, lying between Lot 14, and 13B, Block 83, Tidelands Addition, with the following Condition:

1. That the applicant shall complete the minor subdivision platting process per CBJ Code.

USE2002-00038
A Conditional Use permit to allow installation of 70' wooden utility pole with antennas behind Mendenhall Auto Center for cellular telephone.

Location: 8725 MALLARD STREET
Applicant: DOBSON CELLULAR

Staff recommendation: that the Planning Commission adopt the director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of a 70-foot monopole antenna, with an array of 4 to 9-foot cellular antennae on top.

USE2002-00039
An Allowable Use permit to remodel 5,300 square feet of an existing office/warehouse building to be used as an orthopedic medical clinic and approval of joint use day/night parking on the adjacent lot at 3235 Hospital Drive.

Location: 3225 HOSPITAL DRIVE
Applicant: NORTH PACIFIC ERECTORS

Staff recommendation: That the Planning Commission adopt the director's analysis and findings grant the requested Allowable Use permit and approve the joint day/night parking proposal. The permit would allow the development of an orthopedic clinic. The approval is subject to the following Conditions:

1. The applicant shall maintain the parking agreement to lease 26 spaces from the adjacent property owned by the Juneau Tlingit and Haida Native Corporation, located at 3235 Hospital Drive for the duration of the medical services in the 5,300 square foot area. If the lease agreement is not in place or those spaces are made unusable for the orthopedic office, this permit is voided.
2. Prior to issuance of a Certificate of Occupancy, the applicant shall improve 26 parking spaces on the adjacent property owned by the Juneau Tlingit and Haida Native Corporation, with pavement, striping, and signage for use by employees and visitors to the subject property.
3. Prior to issuance of a Certificate of Occupancy, the applicant shall re-vegetate the bank of Salmon Creek with willows and alder, shall vegetate the area at the end of the loading

zone with a planter box, and shall place vegetation in two locations on the southeast corners of the building (between parking space #13 and the building, and in the area not designated as access isle between spaces #20 and #21, Attachment A). If vegetation is not installed, a $5,000 bond shall be posted for the installation prior.

4. Prior to issuance of a Certificate of Occupancy, the applicant shall provide information on exterior lighting fixtures for staff review and approval. All lighting shall direct light downward and minimize glare to adjacent properties.

VI. CONSIDERATION OF ORDINANCES AND RESOLUTIONS - NONE

VII. UNFINISHED BUSINESS - NONE

VIII. REGULAR AGENDA -

The Chair announced that VAR2002-00039, an Agenda item for the Board of Adjustment has been continued.

VAR2002-00046
A Variance to reduce the number of required parking spaces for a 5,300 square foot orthopedic clinic remodel from 35 to 26 and to reduce the width of a loading area from 12 to 11 feet wide. Parking spaces will be provided both on and off-site, with approval of shared parking agreement on adjacent property proposed by USE2002-00039.

Location: 3225 HOSPITAL DRIVE
Applicant: NORTH PACIFIC ERECTORS

Staff report: CDD Planner, Monique Wheeler advised the Commission that the Use permit previously approved under the Consent Agenda is tied to this Variance. The Variance requests relief from the parking requirement required for the 5,300 square foot medical office remodel. The building's total parking requirement is calculated at 67 spaces, with the applicant proposing to provide 58. Also, the Variance authorizes a substandard loading zone area from 12 to 11 feet. The applicant's rationale for the Variance is based upon the number of patient rooms and staff on-site. In addition to the on-site parking, the applicant requests approval for off-site parking, through a joint use parking agreement on an adjacent property.

Staff recommendation: That the Board of Adjustment adopt the director's analysis and findings and approve the requested Variance with the following Conditions:

1. The applicant shall maintain the parking agreement to lease 26 parking spaces from the adjacent property, owned by the Juneau Tlingit and Haida Native Corporation, located at 3235 Hospital Drive, for the duration of the medical services in the 5,300 square foot area. If the lease agreement is not in place or those spaces are made unusable for the orthopedic office, this Variance is voided.
2. Prior to issuance of a Certificate of Occupancy, the applicant shall improve the 26 parking spaces on the adjacent property owned by the Juneau Tlingit and Haida Native Corporation, with pavement, striping, and signage for use by employees and visitors to the subject property.

3. Prior to issuance of a Certificate of Occupancy, the applicant shall post signage on the site providing information on parking areas available on the adjacent lot for use by customers.
4. The applicant shall encourage employees of the orthopedic office to park in spaces provided on the adjacent lot, leaving spaces in front of the structure open for patient use.

Mr. Kendziorek asked if the loading zone is used for deliveries or for patient access as well. Ms. Wheeler indicated that it is for deliveries of supplies to the building. Mr. Kendziorek asked what would happen to the Variance if the joint use agreement expired or is canceled. Ms. Wheeler said that if the lease went away, the applicant would be out of compliance.

Mr. Pusich added that if the applicant lost the lease, the CBJ would issue a notice of deficiency and they would be required to comply. Ms. Wheeler said the enforcement would handle compliance issues, but she hoped that the applicant would work with the CBJ if difficulties arose. Further, she thought that the clinic would have a difficult time operating without the use of all their available parking.

Public testimony:
Gregory Dostal, said he leases 1800 square feet of office space at 3225 Hospital Drive. During the past 5 years, the biggest obsticle that he's faced is parking. He has a large file full of complaints to his landlord regarding the parking issues and he is concerned by the Variance and its impact on available parking for his clinic. Dr. Dostal said that CBJ Code requires 1 parking spot for every 150 square feet. In his office, there are 3 staff (1 of which consistently drives to work) and 2 or 3 patients but frequently there are no parking spaces available. An orthopedic practice is notorious for high volumes of patients which will further impact his existing problems. Perhaps there is a Condition that can be placed on the Variance that maintains a certain number of parking spots dedicated to his practice. Dr. Dostal took this up with his landlord last year but the landlord was only willing to add signage indicating "20 minute parking only." His lease states that he had non-exclusive use to 4 parking spots but his practice requires more than that. Even though the terms are in a private lease, Dr. Dostal thought that CBJ Code supercedes private leases and he asked for redress.

Ms. Wheeler said that with the approval of the joint use parking, more parking spaces will be made available for Dr. Dostal's use. As well, the loading zone is not being made smaller, it already is of a substandard size.

Dr. Dostal asked what the standard width of a parking space is. Ms. Wheeler said it was 8.5 by 17 feet, with some different standards for parallel spaces. Dr. Dostal doubted that the lines that werer currently drawn conformed to the standard size. He was pleased for the extra parking but was concerned about people will be prompted to use the extra off-site spaces. He suggested the discussion focus on how to direct the flow of traffic to make the situation more workable.

Mr. Pusich asked if it would help if Dr. Dostal's parking spots were identified. Dr. Dostal said that it would help but the landlord agreed only to 20 minute parking signage. The 20 minute limit helped to keep long term parking away so as to free up some parking for patients; however, with the high volume generated by the orthopedic clinic, Dr. Dostal anticipated increased parking pressures on his practice.

Mr. Bruce doubted that the Planning Commission had the authority to make his landlord provide additional parking. In the alternative, the Commission could make a condition stating "the spaces associated with this building are to be used exclusively by patients that are attending this building" so that if other patients or employees used the spaces.

Mr. Pernula said the Commission couldn't require JPD to ticket on private property; however, CDD could enforce the conditions placed on a Conditional Use permit or Variance

Mr. Bavard suggested that staff consider increased signage to enhance the traffic flow patterns. Dr. Dostal commented that he had not seen the site plans until now, and that he was pleased to note that the entrance for the orthopedic clinic was around the corner from his clinic. That will help to draw their traffic away from his clinic's entrance. Normally, he believed that people could work out their issues, but his history at this facility for the past 5 years demonstrated that parking has been problematic.

Mr. Kendziorek asked staff if the width of the parking spaces were substandard. Ms. Wheeler said her information came from plans indicating how the lot will be striped following approval of the Variance. The building was constructed in the mid-80's and as the area has converted to more medical functions, its use has intensified. As well, the parking standards have varied over the years. Originally this building was designed to be used as a warehouse.

Rod Wilson, an employee of the CBJ, Mr. Wilson is also the project manager and appears representing Bartlett Hospital. Mr. Wilson said an additional 5 accessible parking spaces will be added into the project site. The orthopedic clinic requires that 20% of its allowed stalls be handicapped accessible stalls, including a van accessible stall. These stalls will be located on the south side of the building around the corner. He noted that the agreement with Tlingit and Haida calls for 26 off-site parking spaces which are located around the back of the building. The orthopedic clinic anticipates 25 total stalls used, and the additional stalls will be available to other users so that the front stalls will be reserved for patient use. The hospital plans to direct their staff to park behind the building. Over all, Mr. Wilson anticipates some relief in the parking congestion of the site.

Mr. Pusich asked Mr. Wilson to address the somewhat elastic language included with Condition No. 4, calling attention to the word "encourage." Is there a way to make this Condition firmer? Mr. Wilson said that a handicapped employee must have access to the accessible parking in front, but the other employees will yield to the authority of the hospital administrator in terms of their parking habits.

Nevertheless, Ms. Gladziszewski suggested more directed language for Condition No. 4, "Unless the employee requires the use of a handicapped space, the employees must park…"

Mr. Wilson was agreeable but pointed out that this addressed only 10 out of 25 total parking spaces. The facility has 3 doctors, 3 nurses, 1 technician, 1 office manager, 1 receptionist and 1 accountant. Only by cooperating with the other building occupants can additional parking in the front of the building be freed up.

Public testimony was closed.

Planning Commission action:
MOTION: *by Mr. Kendziorek, that the Board of Adjustment adopt staff's analysis, findings and recommendations and approve VAR2002-00046.*

Mr. Kendiorek invited Ms. Gladziszewski to propose a friendly amendment dealing with Condition No. 4.

FRIENDLY AMENDMENT: *by Ms. Gladziszewski, "unless an employee requires the use of a handicapped space, the applicant shall require all other employees to park in spaces provided on the adjacent lot, leaving spaces in front of the structure open for patient use.*

Without objection, the Motion, improved by the Friendly Amendment was approved.

MAP2002-00001
A zone change for Tract A, Lakeside Subdivision, USS 1284 (Juneau Racquet Club Valley site) and Lot B, USS 1284, from D-18, Multi-family residential to LC, Light Commercial.
Location: 2841 RIVERSIDE DRIVE
Applicant: ALASKA CLUB

Mr. Bruce disclosed that he had a conflict of interest in that Mr. Parsons has been client of his firm, and as such, he recused himself from consideration.

Staff report: CDD Planner Tim Maguire said the proposal was to change the zoning of two parcels of land. The first parcel is the site of the Alaska Club/Juneau Racquet Club and the second was a wooded parcel directly to the east. The current zoning is D-18, Multi-family Residential and the proposal is to change the zoning to LC, Light Commercial, the current zoning of the adjacent commercial area. Mr. Maguire illustrated the site for the Planning Commission with a PowerPoint presentation. A key issue from staff's analysis is whether or not the zone change is compatible with the Comprehensive Plan and the Plan's use maps. The intent of the Comprehensive Plan is that this area would change to a Mixed Use category of high density residential and commercial use but that Mixed Use zoning has not been developed at this time. A similar change was made at the Foodland/A&P Market where the Comprehensive Plan designated that as Mixed Use but the Planning Commission changed the zoning to Mixed Use with its own specific standards for height and setbacks. Mr. Maguire said staff's concern with authorizing an unlimited zone change to LC, Light Commercial is that it might allow uses that were never anticipated in the Mixed Use district. Another issue is traffic impacts. The applicant did a study and concluded that an impact would be noted at Riverside if an unlimited change to LC, Light Commercial is allowed. Mr. Maguire explained the consultants suggested measures to deal with the traffic impacts:

1. Restrict the size and type of development on Lot B to keep projected traffic volumes during afternoon peak hours at James Blvd and Riverside Drive below 40 vehicles.

Mr. Maguire felt that this measure would be difficult to enforce and it would not answer the questions about which uses would be allowed in the LC zone.

2. Construct a right turn lane on James Blvd., which would handle the lower level of service anticipated for Riverside Drive intersection.

CDD was concerned that it would improve the intersection but still allow the unlimited uses of Lot B and also introduce the higher level of traffic onto James Blvd.

3. Provide another access to Lot B through Mendenhall Mall Road.

Mr. Maguire explained that CDD wasn't aware whether or not that access is available, however.

4. Restrict turning movements at the intersection of Riverside Drive.

DOT felt that left turning movements were the pressing problem at that intersection and they didn't feel that restrictions would solve anything. As well, detour traffic would be sent off to other problem intersections in the area. Mr. Maguire said that the zone change would add commercial traffic to multi-family and single family residential streets.

He explained several alternatives to the proposed zone change that the staff report explored. First, staff evaluated an unconditional zone change. This proposal is to change the zoning of the athletic club lot and all of the vacant lot, Lot B, to LC, Light Commercial without zoning limitations. A racquet club use is allowed in the current zoning, in the LC, Light Commercial and in both of the MU, Mixed Use districts. Staff felt a finding could be made that this would be consistent with the Comprehensive Plan and still allow for the expansion of the Alaska Club.

Mr. Maguire reviewed the findings highlighting that a limited zone change could be found consistent with the Comprehensive Plan if a more detailed site plan is provided.

Staff recommendation: That the Planning Commission adopt the director's analysis and findings and deny the request to change the zoning of the subject portion of the parcel from D-18, multi-family residential to LC, light commercial.

Mr. Bavard asked for clarification, that in a proposal for a limited zone change, the property line would be eliminated. Mr. Maguire said staff would consider plans for expansion and that area could be added to the larger parcel and considered LC zoning. If the expansion were to take up the whole property could be considered LC. Mr. Maguire suggested a Condition that the smaller parcel is attached to it the larger, to insure that it is developed as an athletic type facility.

Mr. Vick said that height restrictions are much more restrictive in the LC district than in the MU zones. He thought that in the MU zone, the height restriction was about 65 feet high. Mr. Maguire said that the Mixed Use district downtown has an unlimited height restriction but the new district established around the Foodland site had a restriction of 35 feet, but there is a provision for height bonus if certain amenities were done. Mr. Vick noted that the LC zone carried a height restriction of 35 feet. By not going forward with the MU and staying with the LC, the property is restricted more in terms of height and area. Mr. Maguire said that the limitations for this site would be more strict than what is allowed downtown.

Mr. Pusich noted a driveway cut that exits onto James Blvd. Were there problems associated with that driveway? Mr. Maguire said he knew of no problems, however, the original site plans called for two exits onto Riverside Drive, only. He couldn't find any reference to a driveway permit onto James in the records.

Mr. Kendziorek asked if there were detailed plans for expansion or is it a simple request for the zone change. Could the applicant expand on the site without a zone change? If so, why did they want a zone change if they are not prohibited from expanding now? Mr. Maguire referred to the applicant's letter and their desire to develop the parcel independently if the racquet club expansion didn't take place. The applicant is interested in keeping his options open. Finally, under the current zoning, the expansion is a Conditional Use permit, while under the LC zoning, the expansion is authorized by an Allowable Use permit.

Public testimony:

Andrew Eker, is the applicant and an owner in the Alaska Club. He was deeply disappointed that staff had recommended against the zone change and Mr. Eker asked the Commission to reconsider. He explained the history of the Alaska Club and the events leading to the purchase of the Juneau Racquet Club as well as tentative plans for the facility's expansion. Mr. Eker said he sought a rezone so he could have the right to expand without returning to the Commission to ask again. In 1995, the Comprehensive Plan was passed which marked this area MU, Mixed Use and the LC, Light Commercial zone is the only vehicle that is similar to MU which allows the expansion and utilization of the property. Mr. Eker asked Commissioner's to refer to his letter, dated November 8, 2002 which rebutted staff's denial.

Mr. Kendziorek asked what kind of expansion cannot be done under the current zoning. Mr. Eker restated his issue: they could not proceed without returning to the Commission for a use permit. As it stands, the undeveloped property is D-18, and a special exception is required for the expansion. Under LC, the expansion is an Allowable Use, or a 'given' use. Mr. Eker's objective was to get the property appropriately zoned for the anticipated use. As he stated, LC was the correct zoning.

Mr. Kendziorek asked staff to comment. Under the current zoning the expansion can be accomplished with a Conditional Use permit. The only difference if the zone change was approved would be that the applicant must return to the Commission for approval of an Allowable Use permit. Mr. Maguire said the difference was under an Allowable Use permit, the use is assumed to be compatible and the possible Conditions are limited. One limitation would involve a buffer.

Mr. Pusich said that in either case, a buffer would be required. Mr. Maguire agreed.

Ms. Gladziszewski noted that in either case, the applicant must return to the Commission for a permit of some kind. Mr. Maguire said staff would evaluate the square footage of the expansion. If it were a minor expansion, Planning Commission approval would not be necessary, if it were large, approval would be needed.

Mr. Kendziorek thought that the number and types of Conditions were more limited under an Allowable Use permit. Mr. Maguire agreed, a Conditional Use permit deals with any impacts that the Commission notes but Conditions on an Allowable Use permit are restricted to what is listed in the Code.

Mr. Kendziorek asked how dense the surrounding residential neighborhood was. Mr. Maguire said that there were condominiums, apartment buildings, and single family homes.

Jamie Parsons, an investor in the Alaska Club, said he was associated with the Racquet Club since its beginning in 1978. The facility provides a much needed and quality service that meets the physical, emotional, and social needs of the community. As well, this business is employs 408 people, and it is Juneau's largest private sector employer in terms of total number of employees. As time went by, the Alaska Club approached the Juneau owners about a purchase deal and they are eager to move forward with expansion plans. As an aside, Mr. Parsons said he went door-to-door in that neighborhood as a part of the Ballot Measure 2 proposition and he raised the issue of the zone change with the neighbors. The 10 neighbors that he spoke with said they were willing to deal with additional traffic so long as they saw improvements to the Club. Mr. Parsons also addressed the driveway accessing James Blvd. Originally; this was put in for fire access, but has increasingly been utilized by patrons for access.

Mr. Bavard asked if there were a possibility of access from Mendenhall Mall Road. Mr. Parsons did not know but he didn't think a direct route existed.

Mr. Pusich asked if a frontage road could be constructed to access the new addition. It was worthwhile keeping all of the access traffic on Riverside and avoiding the residential streets as much as practicable. Mr. Parsons deferred to Mr. Walsh.

Murray Walsh, appears representing the Alaska Club. He said his client looked at his property's desired designation in the Comprehensive Plan and considered that to be a favorable sign. In this case, Mr. Eker, noted the desired designation to be MU, Mixed Use. Based upon what is available, the most sensible zoning solution is to re-zone the property to match that of the adjacent property: LC, Light Commercial. Until the CBJ's desired designation is reached, LC ought to serve for the interim. In the meantime, the Alaska Club has a life to lead and they cannot be expected to wait until such time that the City carries out this aspect of the Comprehensive Plan. Continuing, Mr. Walsh addressed the three arguments opposing the zone change. First, there is the non-availability of a new form of MU land. The second argument deals with traffic and the third item is buffering. Mr. Walsh argued that both traffic and buffering issues are routinely addressed at the Allowable/Conditional Use permit hearings. In response to Mr. Pusich's earlier question, Mr. Walsh said that a frontage road is possible once it was determined whether a fire access would be required for James Boulevard. If Lot B, is subdivided, the portion not used by the Racquet Club must have access to James Blvd., but the access could be shared. Mr. Walsh continued by pointing to a misstated conclusion on page 4 in the staff report. Staff asserts that commercial development of the vacant tract, Lot B, would increase peak hour traffic 57%. Clarifying the traffic analysis's findings, Mr. Walsh said that if peak hour traffic is increased by 40 left-turning vehicles, the intersection will go down to service level D. The study was not based upon any projections for commercial development, rather it simply looked at the intersection as it operates today and a determination was made about what capacity would cause it to fail. Mr. Walsh said the addition of 40 left turning cars would create a failure. Mr. Walsh's 4 proposals were suggestions to deal with the hypothetical addition of the 40 left-turning vehicles. It was an exercise to demonstrate the applicant's handle on the situation yet staff misunderstood this to be a factual claim. Lot B is a candidate for office space but not for the high volume uses such as a fast food restaurant. In the Allowable Use or Conditional Use

process, a traffic study has to be done based upon the specific development proposed. If a traffic engineer says that the level of service will drop by two grades, the Commission must deny the application. As such the developer will do anything they can do to reduce the traffic generation by reducing the size and type of development or by putting in a left turn pocket. Typically, these are questions for the permit level but not for the rezone level. Mr. Walsh asked the Commission to give the applicant a chance to plan and implement the expensive mitigation measures at the appropriate time: during the permitting process.

In closing, Mr. Walsh said that several findings must be revised. Finding No. 2 could be changed to state that the zone change is in conformance because such a change would be very similar to Mixed Use which serves as an interim form of the Comprehensive Plan. Finding No. 3 should be revised to say that a LC zone change is in harmony because there are procedures available for the Commission to assure that development of these parcels is harmonious with the adjoining parcels. Finding No. 4 could be eliminated.

Mr. Kendziorek asked staff for examples of uses allowed in the Light Commercial zone versus the Mixed Use zone. Mr. Pernula referred his attention to the Table of Permissible Uses. Mr. Kendziorek was looking for uses that are allowed in Light Commercial that might also be incompatible with D-18 zoning. From the Table, he read: hotels, restaurants, gas stations, parking garages.

Anita Simon, 9156 Jerry Drive, said she was grateful for the information she received from the CDD website and from staff as well. Ms. Simon opposes the rezone because she was concerned about unforeseeable uses that could be approved without a public hearing. She was concerned about the allowed uses listed in the LC zone such as "miscellaneous." As a resident, she wondered what that might mean. It is a nice street in a nice neighborhood and she wanted that to be preserved. In summary, Ms. Simon opposed this because the LC did not implement the Comprehensive Plan's MU designation and the Plan's intent for that property to have a combination of residential and commercial uses. On page 6, of the staff report, the LC implements the General Commercial designation of the Comprehensive Plan, but not the MU designation. She requested that the Commission initiate a process to develop a Mixed Use zone for this area. She also agreed that this zone change violates Policy 5.3, in that it is out of harmony with the neighborhood and creates conflicts between the commercial and residential users. As well, the proposal does not minimize the potential for traffic and safety concerns. One implementation measure cited by the Comprehensive Plan states that a method to implement the policy is for careful review of site development plans through the Conditional Use permit process so as to consider buffering and screening requirements between commercial and residential uses. If the rezone is approved, Ms. Simon felt that the City would waive her right as a concerned neighbor to review these site plans. She wants to preserve her right to review whatever proposal is contemplated by the applicant because she cared about buffers and density questions. The development potential of a zone change will substantially increase. The minimum lot size in the current zone is 5,000 square feet, while in the LC zone, the minimum is 2,000 square feet. This parcel of land can be subdivided twice as many times as now. Potentially, each of these lots can demand access to James Boulevard. In closing, Ms. Simon recommended against a conditioned zone change so as to not waive her rights of further review.

Amy Soden, lives on the north side of James Boulevard. Ms. Soden said she is concerned by the expansion of the Racquet Club because they have not demonstrated themselves to be good neighbors. She sited noise issues, inadequate buffers and a hazardous driveway accessing onto James Boulevard. She's not entirely opposed to the expansion but she does want to preserve her ability to review the proposals in the future.

Hugh Grant, is a property owner of the vacant lot. He expressed dismay that the application for a zone change has taken 6 months to reach the hearing stage. Mr. Grant states that while the area is residential, it is next door to commercial zoning and it always has been. He objected to the attention given to screening and buffers today, noting that in the past this wasn't necessary. The Racquet Club is analogous to a school use and as such, should not be given the strict scrutiny of a purely commercial use. Mr. Grant said it was time for the City to grow up and let progress happen by allowing for the zone change. He regretted that people live in the neighborhood, but the people who purchased property there should have realized the land was very close to commercial zoning and might one day become commercial, like it or not.

Mr. Pernula clarified for the Commission that CDD staff is not antagonistic towards the expansion of the Racquet Club or even to the rezoning. Staff found it difficult to find a zone that it could be rezoned to that was also compatible with the Mixed Use designation.

Murray Walsh, reminded the Commission that a nearby parcel had been rezoned to Light Commercial. Responding to comments made by the neighbors, Mr. Walsh emphatically stated that the neighbors concerns were unfounded. Any Allowable Use permit for a proposed structure over 5,000 square feet must be publicly noticed and must have a public hearing. No one will lose their rights to notice and input for a large development in this area. He said he didn't know Mixed Use 2 was available when he filed the application for the zone change. He suggested that if the Commission approved the zone change to Light Commercial subject to the Mixed Use restrictions. In the alternative, the applicant would also support simply converting the parcel to Mixed Use. He pointed out, however, that Mixed Use setbacks are less restrictive than for Light Commercial zones.

Mr. Kendziorek asked staff how this could be accomplished. Was the Commission restricted from acting until January, to make the change from Mixed Use 2 instead of Light Commercial? Mr. Pernula said the Commission may initiate a zone change at any time. Mr. Kendziorek next asked if the Commission would violate any spot zoning rules. Mr. Pernula said spot zoning doesn't apply in this situation. He said the action would be a transition from a high density residential zone to a commercial zone.

Mr. Kendziorek addressed the neighbors, stating that Mr. Walsh was correct, even with an Allowable Use situation, public notice, a public hearing take place and Conditions can be applied to the permit.

Mr. Pernula asked Mr. Walsh which Mixed Use restrictions did he have in mind when he proposed that the parcel be zoned Light Commercial with Mixed Use restrictions. Did he refer to the use or setback restrictions? Mr. Walsh said he meant use restrictions from the Mixed Use zone. He also noted that the Light Commercial setbacks are more restrictive than those in the Mixed Use zone.

Ms. Gladziszewski asked why the Commission simply didn't zone the parcel as MU 2? Mr. Dybdahl said that some elements, such as the MU setbacks were undesirable.

Mr. Pernula said the best course of action was to hold a hearing on the proposed MU zone but he wasn't certain if that hearing needed to be at the Planning Commission or at the Assembly level.

Mr. Walsh complained that his client had waited for 5 months and a grave injustice would be done if the Planning Commission process is further delayed. He suggested that the Commission simply approve the zone change to LC and rely on the applicant's assertion that all LC uses except for office use are extremely unlikely to occur at that location. In the alternative, the Commission may approve the zone change to LC but restrict the uses to MU 2 uses. Staff and the law department can then work together to draft an ordinance for the Assembly to adopt. He implored the Commission refrain from holding further hearings on the matter.

Chair Dybdahl called a recess at 8:40 p.m.

Back to order, Mr. Dybdahl looked at the possible options. The Commission can scrutinize the possible uses or the Commission may approve the zone change to Light Commercial, as the applicant originally applied for, and address the Findings at the next meeting. They may also follow staff's recommendation and deny the zone change.

Mr. Pernula reminded the Commission of another course of action: approving a zone change to Light Commercial with restrictions of the Mixed Use 2 zone. However, both the density and the setbacks of the Mixed Use 2 zones are not restrictive enough. Perhaps the Commission can recommend adoption of the setbacks and densities of the Light Commercial zoning district and the adopt the uses of the Mixed Use 2 zone.

Mr. Kendziorek preferred Mr. Pernula's alternative because it protected the neighbor's concerns as well as the applicant's interests. He wasn't certain if the combination approach would be acceptable to the City Attorney, however.

Mr. Dybdahl said that it would be forwarded as a recommendation to the Assembly. He urged that the Law Department review the recommendation prior to its consideration by the Assembly.

Ms. Gladziszewski was concerned about the process as well.

Mr. Pernula said that this would be forwarded to the Assembly and in the meantime, CDD staff will work with the legal staff to draft language for a proper ordinance. At the next meeting, staff will present the Commission with a revised set of Findings to review and approve. Mr. Pernula restated language for the Motion:

"to approve the Light Commercial zoning, retain the setbacks and densities of the Light Commercial zone but adopt the uses permitted for the Mixed Use 2 zone."

MOTION: by Mr. Kendziorek, that the Planning Commission approve the Light Commercial zoning, retain the setbacks and densities of the Light Commercial zone but adopt the uses permitted for the Mixed Use 2 zone.

Mr. Kendziorek asked the applicant if they were agreeable to the Motion. Mr. Walsh responded in the affirmative.

Roll call vote:
Yeas: Bavard, Dybdahl, Gladziszewski, Kendziorek, Pusich, Scholz, Vick
Nays:
Recused: Bruce

IX. BOARD OF ADJUSTMENT - NONE

X. OTHER BUSINESS - NONE

XI. DIRECTOR'S REPORT :

Mr. Pernula said that the Subdivision Review Committee will meet November 15th at noon to review the Montana Creek 4 Subdivision. This item is tentatively scheduled for the November 26, 2002 Planning Commission hearing. The Comprehensive Plan updates will be taken up by the Assembly's Committee of the Whole on November 25th between 5 and 7 pm. Unresolved are designation changes along Montana Creek. The convenience store ordinance is also scheduled for the Public Works & Facilities Committee on December 11th at noon. The ordinance they are working from is the version developed by Assembly staff working with the convenience store owners.

Ms. Gladziszewski asked if the Assembly understood that the Planning Commission unanimously supported the version they had forwarded. Mr. Pernula said that the message was clearly articulated to the Assembly.

XII. REGULAR OR SPECIAL COMMITTEE REPORTS

Mr. Pusich said the Wetlands Review Board plans to meet the week of November 20th to discuss the South Lena Subdivision. On another point, Mr. Pusich requested that he vacate the Subdivision Review Board and he wanted to serve on the Lands Committee, which Merrill Sanford had vacated.

Mr. Dybdahl invited Commissioners to communicate their areas of interest in terms of committee assignments to him via email.

XIII. PLANNING COMMISSION COMMENTS

Ms. Gladziszewski noted that area maps were once again missing from the packets. She urged staff to include these as they were invaluable tools.

Mr. Bruce said he's received calls from Fritz Cove Road residents concerning a non-conforming mother-in-law apartment. He said this permit was denied by the Commission and he would appreciate support from CDD in the way of enforcement actions taken against the property owner. Mr. Pernula said he checked with the enforcement officer and explained that CDD must identify exactly what amenities are at the facility and he would report back.

Mr. Bavard said he would be absent for the November 26th meeting.

Ms. Gladziszewski won't be able to attend the November 26th and December 10th meetings because she'll be in Africa.

Mr. Pernula said the substantial Agenda item scheduled for November 26th is the Montana Creek 4 Subdivision, which may be rescheduled if attendance is low.

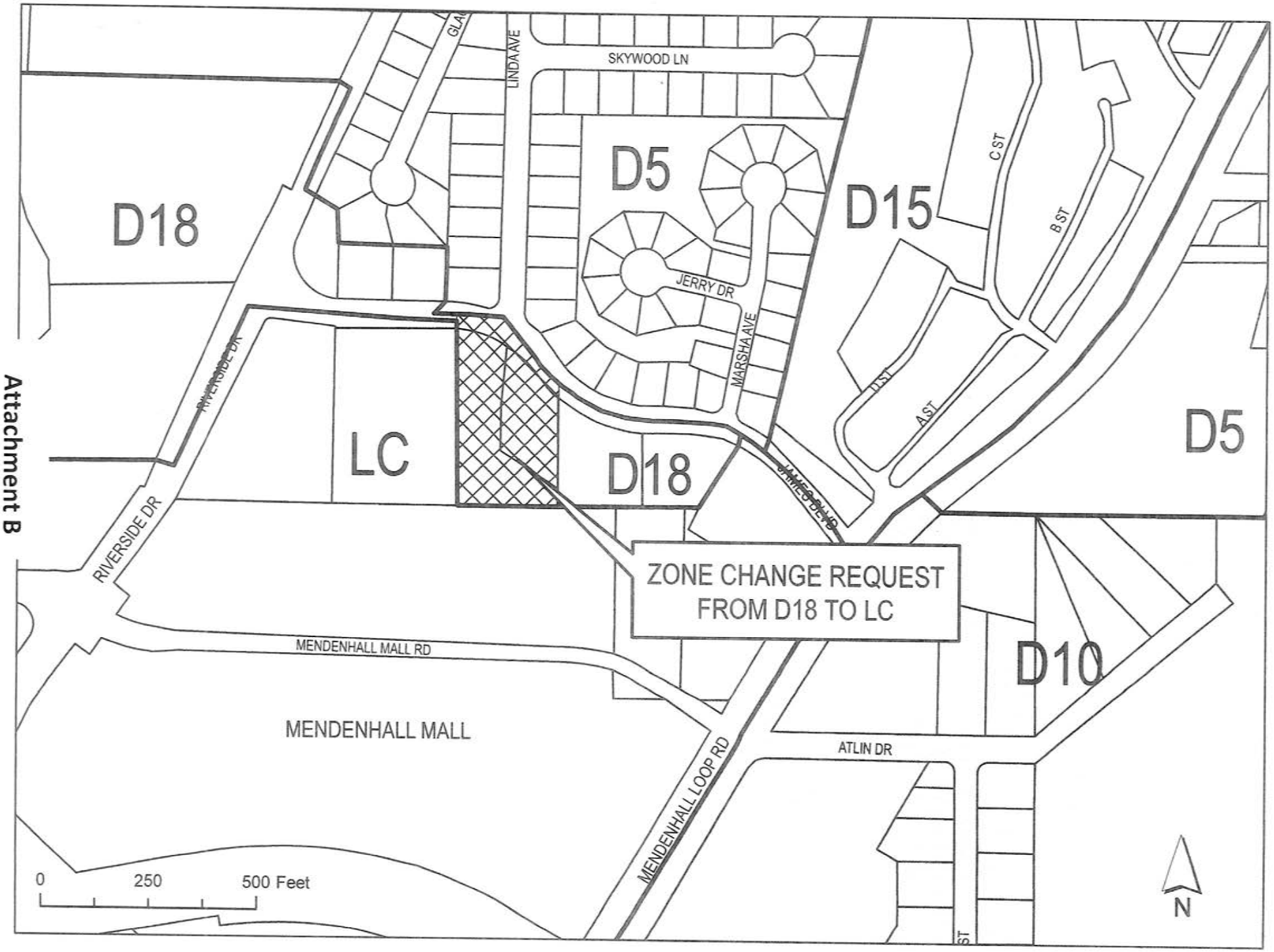
Mr. Pusich asked Mr. Pernula for an update on the seafood processing plant. Mr. Pernula said the plant was accepted for appeal by the Assembly on several grounds. The appealing neighbors asserted that a Planning Commissioner was in conflict as well as asserting several substantive claims.

XIV. ADJOURNMENT

MOTION: by Mr. Vick, to adjourn the meeting.

There was no objection and the Planning Commission meeting adjourned at 9:10 p.m.

Attachment B



CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

NOTICE OF NEIGHBORHOOD MEETING
FOR PROPOSED RE-ZONE

Wednesday, January 15, 2014, 7:00-8:00 p.m.
Mendenhall Library Conference Room

Dear Resident,

The CBJ Community Development Department received a request to rezone 9209 and 9213 James Boulevard from D-18 to Light Commercial.

The CBJ Community Development Department is hosting a neighborhood meeting to explain the details and the CBJ review process. This meeting will be held on Wednesday, January 15, 7:00 to 8:00 p.m. in the Mendenhall (Valley) Library conference room.

The purpose of this meeting is to provide information, respond to questions, and to get a sense of concerns that the neighborhood might have, so issues may be addressed in advance of the formal public hearing with the CBJ Planning Commission. After the project has been scheduled for review by the Planning Commission (this will most likely happen in April), all landowners within 500 feet of the proposed rezone will receive a separate notice with details on how and where to submit comments or testify on the proposal.

If you have questions or would like more information, please contact Beth McKibben, CDD Planner, at 586-0465 or beth_mckibben@ci.juneau.ak.us.

cc: File No.: AME2013 0010

155 S **ATTACHMENT C** 9801-1397

Beth McKibben

From: Shawn Miller <millersh@hotmail.com>
Sent: Saturday, March 01, 2014 1:59 PM
To: Beth McKibben
Subject: Written Testimony for File # AME2013 0010

Hi Beth,

I am writing in response to the proposal of a zone change request from D18 to Light Commercial for USS1284 LotA1 & Lot C1. The site address is 9209 & 9213 James Blvd.

As an adjacent property owner, I have concerns about rezoning the site as mentioned above. Intrusion of commercial activity in this residential area will negatively impact my quality of life. Therefore, I ask the city to deny this zone change request.

Thank you for accepting my written testimony.

Sincerely,
Shawn Miller

ATTACHMENT D

Beth McKibben

From: STEVE BRADFORD <sbradford@gci.net>
Sent: Tuesday, March 11, 2014 7:31 AM
To: Beth McKibben
Subject: Comments on AME2013 0010 Zoning Change from D-18 to LC along James Blvd.

I do not support the proposed change from D-18 to Light Commercial at 9209 and 9213 James Blvd. for the following reasons:

1. Traffic at the intersections of James Blvd and Loop Road and James Blvd. and Riverside Dr. are already encountering excessive delays, especially at rush hour and the end of the school day. Additional traffic developed in conjunction with Light Commercial activities will further tax these intersections.

2. The neighborhood adjoining this area is primarily apartments, condos, and single family homes. D-18 allows additional apartments and other multi-family development - this is appropriate and well established. Light Commercial allows retail, sales, professional offices, hotels, motels, clinics, restaurants, etc. all of which are out of character with this neighborhood. The Light Commercial development would lead to more congestion, noise, more dense development all of which detract from the living conditions of the neighborhood.

3. There is no shortage of Light Commercial develop-able land in the immediate area. I believe the existing zoning is correct and see no need to add more Light Commercial zoning in this area.

Attachment E