

MEMORANDUM

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

DATE: August 27, 2014

TO: Planning Commission

FROM: Jonathan Lange, Planner II *Jonathan Lange*
Community Development Department

FILE NO.: AME2014 0009

CC: Rorie Watt, P.E., Director, Engineering Department
Hal Hart, Director, Community Development Department

RE: Black Bear Subdivision Questions

The Planning Commission was reviewing a zone change request, AME2014 0009, when questions were raised about past subdivision activities on and adjacent to the subject property. After public testimony was closed, the Planning Commission asked staff to clarify two specific questions:

1. Why did the plat get approved without improvements being made to Silver Street?
2. Why did the plat not include certification that the plat met Title 49?

Staff Response

Staff reviewed the Black Bear Subdivision case file (SMN2013 0026), which has frontage on Silver Street.

At the August 26, 2014 hearing, neighbors within the McGinnis Subdivision raised the question about how the Black Bear Subdivision could have been recorded without Silver Street being improved with utilities and construction to CBJ street standards.

Question 1

CBJ 49.15.420 governs minor subdivisions. CBJ 49.15.420(e) Improvements: The improvement and construction requirements of this title shall apply to all minor subdivisions, except that:

- (2) No improvements shall be required if no additional lots are created;

In the creation of Black Bear Subdivision, three lots were created from the original U.S. Survey No. 2551; one lot was served by the undeveloped portion of Silver Street and, after the 2013 subdivision, one lot remained being served by the same right-of-way. Staff concluded that street improvements were not required because Silver Street served one lot prior to Black Bear Subdivision and after the subdivision it was still only serving one lot.



CBJ 49.15.460 (5)(E) Conservation Lots. Lots created for the purpose of conservation within or adjacent to the Mendenhall Wetlands State Game Refuge are exempt from the provisions of this section, provided, however, that the following requirements shall be met:

(5) No public utilities shall be provided to conservation lots created under this section.

Lot 1 of Black Bear Subdivision was designated as a Conservation Lot; no utilities are allowed to be provided for this lot. Lot 2 had existing utilities and frontage on a CBJ maintained right-of-way. Lot 3, the parcel in question, has utilities at Silver Street and Wren Drive.

Water System. CBJ 49.35.310 Systems required. (a) If a major development is constructed within 500 feet or a minor development other than a single-family dwelling within 200 feet of an existing and adequate public water system, the developer shall construct a distribution system and the connection thereof to the public system. The developer shall construct and pay for any increase in the size of existing public water lines and production facilities required to serve the proposed development...

The subdivision was a minor development for a vacant lot on Lot 3 that did not have a specific proposal for development. Therefore Lot 3 is considered a minor development which did not require extension of water systems to the lot line.

Sanitary Systems. CBJ 49.35.410 Systems required. (a) If public sewer facilities are available within 500 feet of the boundary of a major development or within 200 feet of a minor development, the owner or developer shall install all necessary collectors and laterals.

49.35.430 Private treatment systems. (a) If a public sewer is not available, septic tanks leaching fields or other private sewerage facilities may be permitted, provided the state department of environmental conservation must approve all private sewerage systems and treatment plants, and provided that the owner of a lot using one of the above-listed private sewerage facilities obtains from the Engineering Department a CBJ on-site wastewater treatment and disposal system permit prior to a certificate of occupancy being issued...

Lot 3 of Black Bear Subdivision did not have a specific development in mind. The lot would not specifically be required to extend sewer service to their property, if they were proposing to have a private treatment system on-site. With no specific proposal for development the lot was not required to extend sewer to the lot line.

Please also see attachment A, General Engineering staff's memo on History and Finding of Fact Relating to Black Bear Subdivision, USS 2551.

Question 2

CBJ Code Section 49.15.420(d)(4) authorizes the director to "*sign the plat upon a determination that the subdivision and plat meet all the requirements of this chapter and title.*" The director's signature block, per 04 CBJAC 015.010 Minor Subdivisions is supposed to state:

"I hereby certify that the plat shown hereon has been found to comply with Title 04 Community Development Regulations and Title 49 of the Code of the City and Borough of Juneau and is

approved by the City and Borough of Juneau Department of Community Development for recording in the office of the Juneau Recording District, Juneau, Alaska."

In the case of Black Bear Subdivision the neighbor is correct; Title 49 is not specifically listed on the face of the plat. It says:

CERTIFICATE OF APPROVAL CITY AND BOROUGH OF
JUNEAU, COMMUNITY DEVELOPMENT DEPARTMENT

I hereby certify that the plat shown hereon has been found to comply with Title 4 Community Development Regulations, and is approved by City and Borough of Juneau, Community Development Department, for recording in the office of the Juneau Recording District, Juneau, AK.

Hal H. Hunt
Director, City & Borough of Juneau
Community Development Department

Date September 11, 2013

Jamie J. Aui
Attest: Clerk, City & Borough



CONSERVATION LOT NOTE:

THIS SUBDIVISION IS CREATED IN ACCORDANCE WITH THE TERMS SET FORTH IN CITY AND BOROUGH OF JUNEAU ORDINANCE, LOT 4 OF

Staff finds the difference is minor in nature given that Title 4 requires that the plat be in accordance with Title 49, and that Title 49 requires that the plat be consistent with "this title and chapter" before the Director is authorized to sign the plat. So the fact that the words "Title 49" are missing from the signature block does not make it a fatal flaw. Title 49 consistency is implied by the signature of the Director.

Findings

Staff reviewed the Black Bear Subdivision and finds it met the requirements of Title 49. As outlined above, the subdivision did not warrant street improvements and utilities were not required to be extended to the property line. Given this, staff recommends that the Planning Commission continue to review the rezone request, AME2014 0009, currently before them.

Attachments

- Attachment A- General Engineering Memorandum
- Attachment B- AME2014 0009 Staff Report from August 26, 2014 Regular Planning Commission Meeting

Jonathan Lange

From: Ron King
Sent: Tuesday, September 02, 2014 9:45 AM
To: Hal Hart; Travis Goddard; Rorie Watt; Jonathan Lange
Subject: Black Bear Subdivision Development Requirements
Attachments: SMN2013-19(A).doc

Final Draft

I believe my involvement in the review and approval of the Black Bear Subdivision was conducted in a professional manner without bias or unethical behavior. The wetlands review and subdivision were outsourced specifically to dispel any taint of possible influence with subdivision approval. I stand behind the conclusion addressed in the attached memo and consider it to be testimony of fact.

Sincerely,

Ronald D. King, PLS 6262-S

MEMORANDUM

CITY/BOROUGH OF JUNEAU

155 South Seward Street, Juneau, Alaska 99801

TO: Hal Hart, Director of Community Development

DATE: August 30, 2013

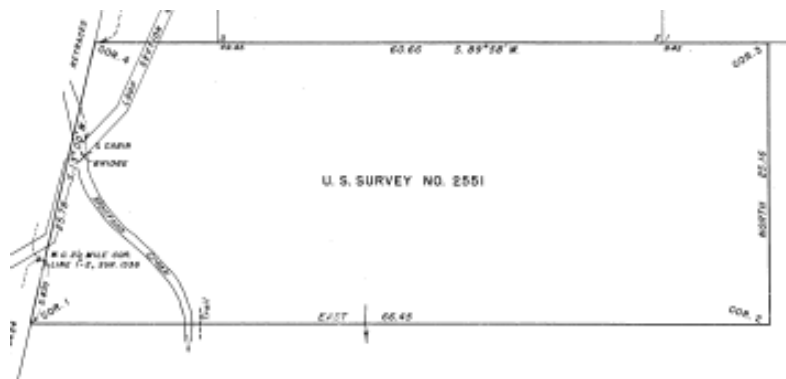
FROM: Ron King, General Engineering *RD King*

FILE: SMN20130019(A)

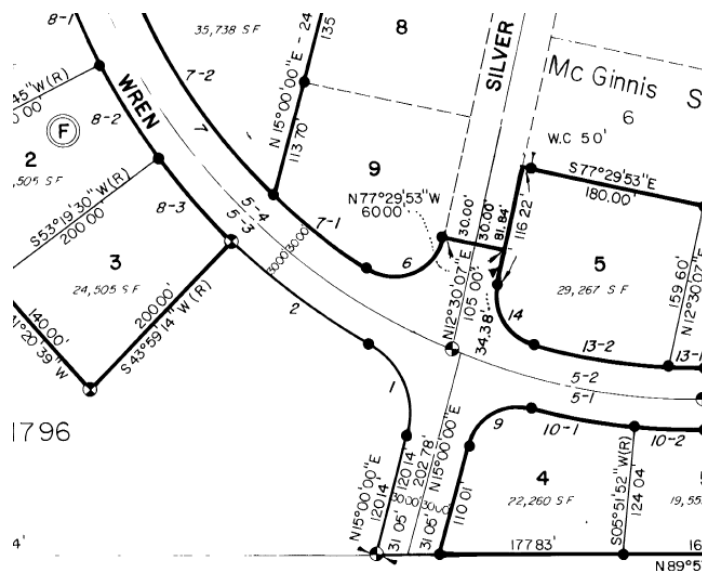
BLACK BEAR SUBDIVISION

HISTORY AND FINDING OF FACT RELATING TO BLACK BEAR SUBDIVISION, USS 2551

The Homestead of Bill Sakieff was approved on June 28, 1918 and designated as USS Survey 2551 containing 159.77 acres more or less. The US Survey as approved technically represents a 3 lot subdivision. The portion of land northwest of Loop Road is subdivided from the large tract by the Loop Rd ROW. The portion of land to southwest is subdivided from the large tract by Montana Creek. Montana Creek is classified as a navigable body of water (Territory of Alaska, Corp of Engineers) quantifying the lands below ordinary high water as property of the United States/Territory of Alaska.



In 1989 land to the north (Zoned D-3) was subdivided, establishing the existing undeveloped ROW (Silver Street) providing access from the north to USS 2551. There was no requirement by the Planning Commission for the developer to construct the infrastructure (water, sewer, roadway).



September 2, 2014

In the 1990s the City and Borough of Juneau condemned 7.6 acres of land adjacent to the east boundary of USS 2551. The action was approved June 16, 1994 and blocked access to River Road.

CITY AND BOROUGH OF JUNEAU A municipal corporation,)	AT JUNEAU
Plaintiff,)	JUN 15 1994
vs.)	Clerk of Court
ANAGENE OLSEN, JOHN L. MCNAIRY, LOU ELLEN MCNAIRY AND 7.4 ACRES OF VACANT LAND, MORE OR LESS, IN U.S. SURVEY NO. 2551 IN THE JUNEAU RECORDING DISTRICT,)	By <u>W.A.</u> Deputy
Defendants.)	Case No. IJU-89-698 Civil

JUDGMENT AND FINAL ORDER OF CONDEMNATION

Pursuant to AS 09.55.370 and the stipulation of the City and Borough of Juneau, Anagene Olsen, and the Beneficiaries of the Sakieff Irrevocable Trust, the court enters this judgment and final order of condemnation on the following terms:

1. The property condemned in this action is described as follows:

USS 2551 changed ownership several times until 1995 when the land minus the previously condemned 7.6 acres was purchased by the Juneau Youth Services JYS.

BOOK 0425 PAGE 501

WARRANTY DEED

THE GRANTOR, Susan Hunter-Joerns, a married person, whose address is 2205 N. Jordan Ave., Juneau, Alaska 99801, for and in consideration of Ten Dollars (\$10.00) and other valuable considerations, in hand paid, conveys and warrants to Juneau Youth Services, Inc., an Alaska nonprofit corporation, whose address is P.O. Box 302839, Juneau, Alaska 99803, the following described real estate to-wit:

Deed Book 0425 Page 501 includes several exceptions: ADOT (Loop Road ROW), Territory of the Alaska (Montana Creek) and several reservations: 20' ROW and access north line of USS 2551 (McNairy); 20' open ditch and access easement north line of USS 2551 (CBJ); Forcemain easement from Silver St to River Road Lift Station (CBJ); and a slope easement in favor of ADOT (Loop Road).

2007 to 2013, JYS contracted a wetlands determination for information to support a development plan of the undeveloped remainder of USS 2551(excluded existing campus lot). The report delineated very high value wetlands and areas of uplands (137 acres) developable without a Corp Permit requirement. The uplands included an area south of loop road bordering on Montana Creek (Montana Bills cabin site), an area south of Silver St and an area adjacent to the 7.6 acre CBJ property that would be accessed from Silver St via a strip of uplands parallel to the north line of USS 2551.

The zoning of the remaining parcel is D-1. Zoning allows for the construction of 137 dwelling units on the remaining parcel. In addition Sewer Code allows on-site wastewater disposal for each unit as long as they are constructed more than 200' from CBJ sewer system. Also note that it is not a requirement to

September 2, 2014

have CBJ water. Individual wells or a community water system could be constructed. Finally the requirement for access to the 137 units built on the remaining parcel would be determined by the International Fire Code. The IFC requires a 20' wide roadway and a fire apparatus turnaround for the entire development.

The JYS decided to conserve the high value, pristine wetlands and retain as a remainder some uplands for development (uplands that would not impact the Montana Creek Watershed). To accomplish the conservation of the watershed JYS decided to relinquish the ability of constructing 138 dwelling units (D-1 Zone) and sell the wetlands and some uplands to the Southeast Alaska Land Trust (128 acres).

10 acres of previously delineated uplands was reserved for future development, Lot 3. The zoning remains D-1. It should be noted the size of the parcel, CBJ sewer code and access driveway within the ROW constructed to the IFC allows 10 dwelling units to be constructed without any connection to CBJ utilities required.

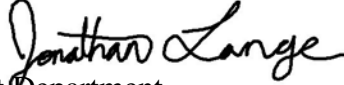
Since the land did not change status (only size) per discussion with CDD, the conclusion was derived that Black Bear Subdivision met requirements of the land use code and extension of the existing wastewater line (installed through JYS property) is not warranted or required.

MEMORANDUM

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

DATE: August 12, 2014

TO: Planning Commission

FROM: Jonathan Lange, Planner 
Community Development Department

FILE NO.: AME2014 0009

PROPOSAL: An Application to Rezone Lot 3 of Black Bear Subdivision at the south end of Silver Street from D-1 to D-3.

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.

Applicant: Juneau Youth Services

Property Owner: Juneau Youth Services

Property Address: Silver Street

Legal Description: Black Bear Lot 3

Parcel Code No.: 4-B26-0-102-004-3

Site Size: 10 acres

Comprehensive Plan Future Land Use Designation: ULDR – Urban Low Density Residential

Zoning: D-1

Utilities: Public water and sewer

Access: Silver Street

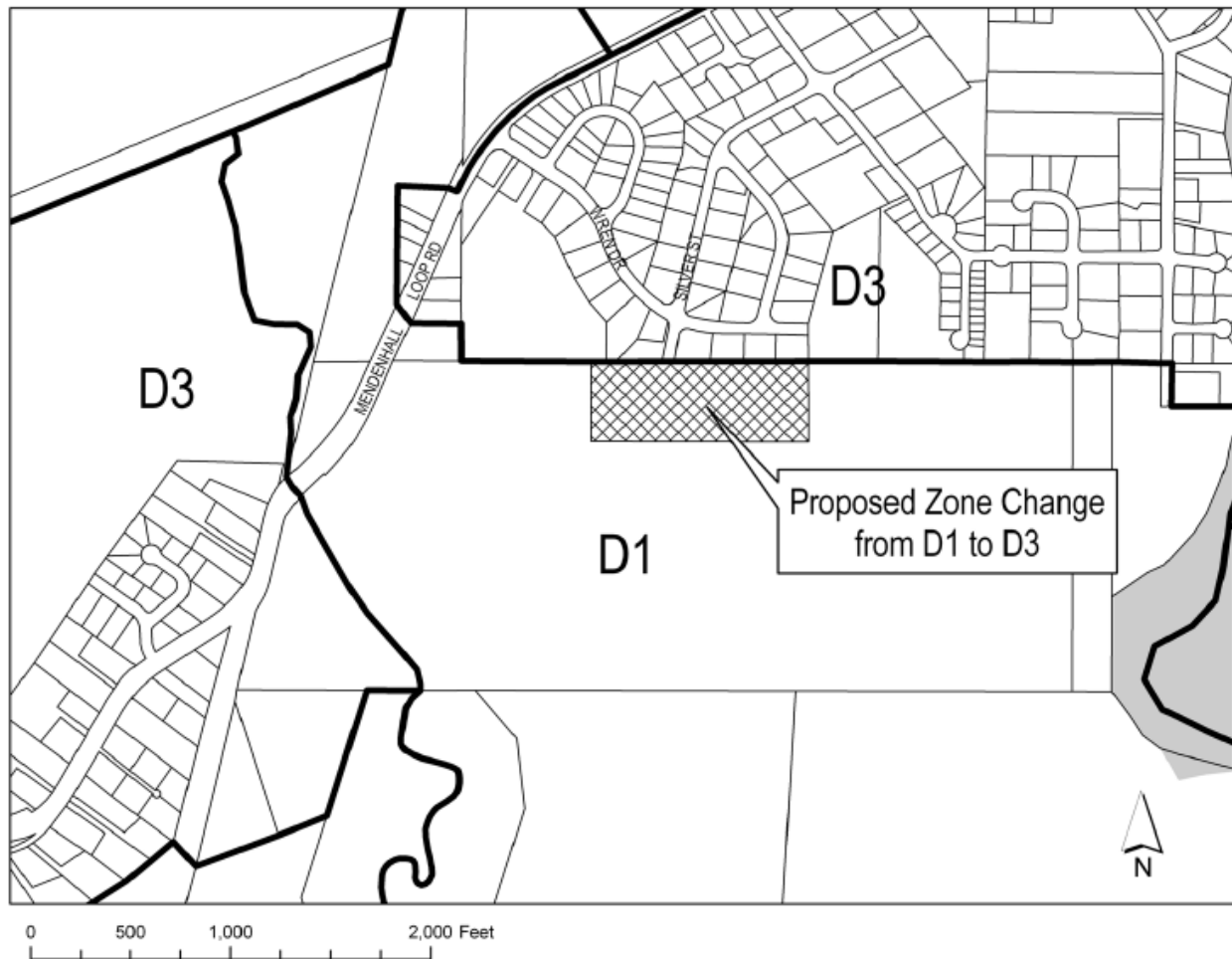
Existing Land Use: Vacant

Surrounding Land Use: North D-3 – Single-family Residences
South D-1 – Vacant Wetland Conservation Lot
East D-1 – Vacant Wetland Conservation Lot
West D-1 – Vacant Wetland Conservation Lot

ATTACHMENT B



VICINITY MAP



ATTACHMENTS

- Attachment A – Zone Change and Development Permit Applications
- Attachment B – Applicant’s Narrative
- Attachment C – Comprehensive Plan, Land Use, and Wetlands Maps
- Attachment D – Wetland Delineations
- Attachment E – Neighborhood Meeting Materials
- Attachment F – Public Notice
- Attachment G – Agency, City, and Wetlands Review Board Materials and Draft Minutes
- Attachment H – Public Comments

PROPOSAL

The applicant has applied to rezone their vacant 10 acre lot, lot 3 of Black Bear Subdivision from D-1 to D-3. The applicant has not stated a specific proposal at this time but has envisioned future residential development of the subject parcel. The applicant's lot is located at the south end of Silver Street, just south of the D-3 zoned McGinnis Subdivision on Wren Drive, and south of the Montana Creek area on Mendenhall Loop Road (Back Loop Road). The subject lot is just south of six single-family residences zoned D-3, and is surrounded on the east, south, and west sides by a vacant D-1 zoned wetlands Conservation Lot.

BACKGROUND

The subject parcel was created in 2013 by Juneau Youth Services. The original parcel of 159.77 acres was split into three parcels and created Black Bear Subdivision. Black Bear Subdivision consists of one parcel on Mendenhall Loop Road, where Juneau Youth Services is located; one 127 acre Conservation Lot; and the subject 10 acre parcel at the south end of Silver Street.

On July 17, 2014 staff presented the proposed request for rezone to the Wetlands Review Board. Please see Attachment F for board comments. This meeting will be discussed in the Habitat section below.

PUBLIC INPUT

On July 28, 2014 the applicant and Community Development Department (CDD) staff held a neighborhood meeting in the library of Thunder Mountain High School. Twelve members of the public and three members of the Juneau Youth Services board attended the meeting. Staff described the application and rezone process. Staff also spoke about the Table of Permissible Uses and the Table of Dimensional Standards found in City and Borough of Juneau Land Use Code Title 49. Staff gave time for the applicant to speak about the properties history and their plans for the subject parcel.

The members of the public in attendance were property owners from the McGinnis Subdivision. The concerns and questions of the neighbors were about future development of the parcel, traffic, drainage, wetlands, and subdivision and development improvements (specifically utilities and road improvements). These items will be discussed further in the report.

REZONE PROCEDURE

The Land Use Code establishes the following process for rezones:

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.

The rezone proposal was filed on July 1, 2014 and public notices were mailed to property owners within 1,000 feet of the subject property. Staff chose to expand the mailing area from 500 feet to 1,000 feet because the parcel is surrounded on three sides by the large vacant conservation lot and so more of the neighborhood to the north could be notified.

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. Rezoning requests which are substantially the same as a rezoning request rejected within the previous 12 months shall not be considered. A rezoning shall only be approved upon a finding that the proposed zoning district and the uses allowed therein are in substantial conformance with the land use maps of the comprehensive plan.

The parcel proposed for rezone is 10 acres, and as shown in Attachment C, the Zoning Map, is an expansion of an existing adjacent zone. Substantial conformance with the land use maps of the Comprehensive Plan will be discussed further in the report.

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.**

ZONING DISTRICTS

All zoning districts are established in the Land Use Code, Title 49. Attachment C indicates that the subject lot and neighboring lots are zoned D-3. The definitions of the D-1 and D-3 districts are shown below.

CBJ §49.25.210 Residential Districts

D-1 District:

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.

D-3 District:

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.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

2013 Comprehensive Plan

The parcel proposed for rezone is located in the Urban/Low Density Residential (ULDR) land use designation of the Comprehensive Plan, as shown in Attachment C.

ULDR Definition:

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 as regulated in the Table of Permissible Uses (CBJ49.25.300).

The definition of ULDR indicates low-density residential uses. Both the D-1 and D-3 zoning districts fit within the “one to six units per acre” density description in the ULDR definition. The D-1 zoning district would permit for the subject 10 acre parcel to be developed up to 10 dwelling units; were as the D-3 zoning district would permit for the subject 10 acre parcel to be developed up to 30 dwelling units.

The following Comprehensive Plan policies are related to the rezone proposal:

POLICY 4.1. TO FACILITATE THE PROVISION AND MAINTENANCE OF SAFE, SANITARY AND AFFORDABLE HOUSING FOR CBJ RESIDENTS.

POLICY 4.2. TO FACILITATE THE PROVISION OF AN ADEQUATE SUPPLY OF VARIOUS HOUSING TYPES AND SIZES TO ACCOMMODATE PRESENT AND FUTURE HOUSING NEEDS FOR ALL ECONOMIC GROUPS.

Allowing the subject parcel to be rezoned to D-3 would allow for potential development of housing. Though there is not a specific proposal the applicant has stated that “future residential development is envisioned.” With the proposed rezone request there is a potential of 30 new units to be added to the housing market.

POLICY 7.5. TO PROTECT HIGH-VALUE WETLANDS FROM ADVERSE EFFECTS OF DEVELOPMENT THROUGH LAND USE MANAGEMENT AND TO SPONSOR OR PARTICIPATE IN EFFORTS TO ENHANCE OR RESTORE THE ENVIROMENTAL VALUES OF WETLANDS IN THE BOROUGH.

POLICY 7.7. TO PROTECT, MAINTAIN AND IMPROVE SURFACE WATER, GROUNDWATER AND MARINE WATER QUALITY IN ITS JURISDICTION SO THAT ALL WATERS ARE IN COMPLIANCE WITH FEDERAL AND STATE WATER QUALITY STANDARDS AND CONTINUE TO ALLOW AQUATIC LIFE TO THRIVE.

The applicant has supplied staff with two wetland delineations (these will be discussed in the Habitat section below) that describe the subject parcel as mostly uplands.

The applicant through the subdivision described in the Background section above, has subdivided off the important high-value wetlands from the subject parcel, and has preserved them in a conservation lot, thus maintaining the high-value wetlands. The proposed rezone request does not have any specific development proposal that would trigger wetland review or a permit at this time. The applicant or developer of the subject parcel will have to comply with all development permit requirements and permits at the time they develop the parcel. At the time of development the applicant will have to comply with best management practices to maintain drainage from affecting the nearby wetlands.

POLICY 10.3. TO FACILITATE RESIDENTIAL DEVELOPMENT OF VARIOUS TYPES AND DENSITIES THAT ARE APPROPRIATELY LOCATED IN RELATION TO SITE CONDITIONS, SURROUNDING LAND USES, AND CAPACITY OF PUBLIC FACILITIES AND TRANSPORATION SYSTEMS.

The applicant is proposing a density and zoning which is consistent with already developed land adjacent to the subject parcel.

Guidelines and Considerations for Subarea 3:

9. Encourage in-fill, small house development in the West Mendenhall valley. However, in doing so in the West Valley, continue to protect wetlands, avoid flood hazards and provide buffer vegetation and open space/natural areas for privacy and to maintain the rural character of the West Valley community. Encourage clustering of the small cottage and bungalow houses on larger parcels to maximize the land left in a natural state to assure privacy and provide a visual and sound buffer from existing adjacent lower density residential development. New in-fill development should: (1) Preserve as much of existing wooded areas as is practical; (2) design new building forms to mimic adjacent rural development in scale and massing while increasing density; (3) place parking out of view of the street; and (4) incorporate other appropriate building siting, orientation and design techniques to maintain the rural character of the West Valley. In new subdivision on large parcels, encourage mixed density developments, such as duplex, accessory dwellings and multi-family units interspersed in suitable location within the development.

Discussion

As noted above, the Comprehensive Plan contains policies that encourage housing, housing that preserves the character and quality of existing neighborhoods, and development that protects high-value wetlands.

COMPLIANCE WITH CBJ LAND USE CODE

The Table of Dimensional Standards and the Table of Permissible Uses of the Land Use Code establish the permitted standards and uses in zoning districts (see Attachment D).

D-1 District

- 36,000 square foot minimum lot size
- 54,000 square foot minimum lot size for duplex
- 18,000 square foot minimum lot size for bungalow
- 72,000 square foot minimum lot size for single-family detached, two dwellings per lot
- 150 ft. x 150 ft. minimum lots
- 10% maximum on lot coverage
- Storage units
- Kennels
- Agriculture w/ animals
- Timber harvesting

- Open Air Markets
- Resort/Lodge/Campgrounds

D-3 District

- 12,000 square foot minimum lot size
- 18,000 square foot minimum lot size for duplex
- 6,000 square foot minimum lot size for bungalow
- 24,000 square foot minimum lot size for single-family detached, two dwellings per lot
- 100 ft. x 100 ft. minimum lots
- 35% maximum lot coverage

The D-1 and D-3 zoning districts are very similar in the uses allowed, though as staff has outlined above, the D-1 zoning district has more uses allowed due to its rural density characteristics. When the property is developed, the proposed development will need to meet all development standards in order to get the development approved.

TRAFFIC

With the proposed rezone request the subject 10 acre parcel may be developed to 30 dwelling units. At the neighborhood meeting the neighbors expressed concern about the traffic that would be generated by the development. According to the Institute of Transportation Engineers (ITE) Trip Generation Manual the average single-family home generates 9.57 daily weekday trips. This parcel may generate 287.1 average daily trips (ADT).

Per CBJ Land Use Code Title 49.40.300(a)(3):

(a)A traffic impact analysis (TIA) shall be required as follows:....

(3)A development projected to generate more than 250 ADT but fewer than 500 ADT shall be required to have a traffic impact analysis if the Community Development Department Director determines that an analysis is necessary based on the type of development, its location, the likelihood of future expansion, and other factors found relevant by the director.

However none of these trips are triggered by a rezone. Only the subdivision of the property would trigger the analysis for trip generation based upon a proposal. At the time of a specific development permit and or Conditional Use permit application for the subject parcel, the Director will have the discretion per code to determine if the proposed development requires a Traffic Impact Analysis (TIA).

DEVELOPMENT IMPROVEMENTS

The subject parcel is adjacent to an undeveloped portion of Silver Street. The subject parcel has frontage on a right-of-way that has public water and sewer utilities. Though the utilities do not come to the property line, they are the same utilities that were provided to the larger lot prior to subdivision in 2013 that decreased the size of the lot that abutted the Silver Street right-of-way. At the time a specific development is proposed and approved or subdivision of the current lot occurs, the developer will be required to bring utilities into their development and construct and develop Silver Street to CBJ road standards.

Drainage was also a concern that was brought up by the public at the neighborhood meeting. Grading and drainage will be addressed at the time of development of the subject parcel. A Grading and Drainage Permit shall be required prior to development of the parcel. Drainage will be addressed through the permit. The applicant's representative at the neighborhood meeting

explained that Stormwater Best Management Practices will be observed at the time of development.

HABITAT

The site of the proposed rezone contains approximately 0.97 acres of category A wetlands. The applicant has stated that the subject site was subdivided off from the large conservation lot because it contains mostly uplands.

The Wetlands Review Board discussed the proposed rezone request at their July 17, 2014 regular meeting (see Attachment F). Staff introduced the rezone application and gave the board background information on the site including the wetlands and uplands on the site. The applicant then spoke about their application and plan for the site. The board then discussed the wetland delineations that were presented to them. The draft minutes of the meeting are included in Attachment F. The following Board Motion was passed 5 to 1 at the conclusion of board discussion:

The Wetlands Review Board appreciates that the parcel includes very little Class A wetland. If the area is developed at a density higher than D-3, an additional wetland evaluation will need to be done. The Board notes that the delineation was done thoroughly and professionally. The Board would also like to applaud the applicant for the significant conservation easement on the remainder of the former parcel.

The applicant has provided two wetlands delineations from Bosworth Botanical Consulting in their application (please see Attachment B).

The first delineation, attached to the application, was done in 2012 and was an overview of the 156.38 acre Juneau Youth Services property prior to subdivision into the three lots of Black Bear Subdivision. The delineation noted a 2.4 acre portion to the northwest or "Montana Bill" part of the parcel which was determined to be uplands with a ditch running through the middle of that portion. The delineation also noted 5.5 acres of land in the north central part of the previous lot, which now constitutes a portion of Lot 3 Black Bear Subdivision that was studied in 2007 in the spring and fall. During the spring delineation the area was determined to be upland; but during the wetter fall delineation the area had some upland characteristics and some wetland characteristics.

The second delineation that the applicant provided prior to the Wetlands Review Board meeting of July 17, 2014, gave a very detailed look at the 5 acre piece of land at the south end of Silver Street, which constitutes a portion of the subject parcel. This delineation stated that the studied portion was mostly uplands with only 0.97 acres of the southeast and southwest corners that were wetlands.

At the time of development of the subject parcel the developer will have to have the area studied further and will work with the U.S. Army Corps of Engineer on any plans for fill in the subject parcel to ensure that wetlands are maintained.

FINDINGS

As indicated above, rezoning of the property from D-1 to D-3 will allow higher housing density. The D-3 zoning designation is in substantial conformance with the 2013 Comprehensive Plan. Based on the above analysis, the proposal is consistent with the Comprehensive Plan and compliant with the Land Use Code.

RECOMMENDATION

Based upon the proposed project (identified as Attachments A and B), and the findings and conclusions stated above, the Community Development Director recommends the Planning Commission **RECOMMEND APPROVAL** to the Assembly for the rezone proposal.

ZONE CHANGE APPLICATION

Project Number	Project Name (15 characters)	Case Number AME 20140009	Date Received 07/01/14
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LEGAL DESCRIPTION(S) AND LIMITS OF PROPERTY TO BE REZONED:

LOT 3, BLACK BEAR SUBDIVISION

IS THIS AN EXPANSION OF AN EXISTING ZONE?

☒ Yes ☐ No

Total Land Area of Proposed Change 10 acres

Comp Plan Designation ULDR

Current Zone(s) D-1

Comp Plan Map ULDR

New Zone Requested D-3

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:

GAIN ZONING CONSISTENT WITH ADJACENT RESIDENTIAL DEVELOPMENT

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 ATTACHMENT

DESCRIBE ANY POTENTIAL IMPACTS TO PUBLIC INFRASTRUCTURE:

STREETS:

NONE ANTICIPATED

WATER:

" "

SEWER:

" "

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>600⁰⁰</u>	<u>18272</u>	<u>CDD5425</u>	<u>07/01/14</u>
Admin. of Guarantee	\$ _____	_____	_____	_____
Adjustment	\$ _____	_____	_____	_____
Pub. Not. Sign Fee	\$ <u>50⁰⁰</u>	<u>015471</u>	<u>CDD5426</u>	<u>07/01/14</u>
Pub. Not. Sign Deposit	\$ <u>100⁰⁰</u>	<u>015471</u>	<u>CDD5426</u>	<u>07/01/14</u>
Total Fee	\$ <u>750⁰⁰</u>	_____	_____	<u>07/01/14</u>

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

DEVELOPMENT PERMIT APPLICATION

Project Number AME20140009	CITY and BOROUGH of JUNEAU	Date Received: 07/01/14
Project Name (City Staff to Assign Name)		

INFORMATION	Project Description		
	PROPERTY LOCATION		
	Street Address		City/Zip
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) LOT 3, BLACK BEAR SUBDIVISION		
	Assessor's Parcel Number(s)		
	LANDOWNER/ LESSEE		
	Property Owner's Name JUNEAU YOUTH SERVICES	Contact Person: PETER REED	Work Phone: 321-9009
	Mailing Address PO BOX 32839 JUNEAU, 99803	Home Phone: 586-1503	Fax Number:
	E-mail Address WALTERMA@JYS.ORG	Other Contact Phone Number(s): WALTER MAJORS 789-7610	
	PROJECT / APPLICANT	LANDOWNER/ LESSEE CONSENT <small>***Required for Planning Permits, not needed on Building/ Engineering Permits***</small>	
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:			
A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.			
B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X		<u>Walter Majors</u> Landowner/Lessee Signature	<u>7/1/14</u> Date
X		_____ Landowner/Lessee Signature	_____ Date
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT <small>if the same as OWNER, write "SAME" and sign and date at X below</small>			
Applicant's Name WALTER MAJORS		Contact Person: PETER REED	Work Phone: 321-9009
Mailing Address PO BOX 32839 JUNEAU, 99803		Home Phone: 586-1503	Fax Number:
E-mail Address WALTERMA@JYS.ORG	Other Contact Phone Number(s): WALTER MAJORS 789-7610		
X	<u>Walter Majors</u> Applicant's Signature	<u>7/1/14</u> Date of Application	

STAFF APPROVALS	OFFICE USE ONLY BELOW THIS LINE			
	<input checked="" type="checkbox"/>	Permit Type	SIGN	Date Received
		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		
	<input checked="" type="checkbox"/>	Zone Change Application D1 to D3	AME	7/1/14
		Other (Describe)		
	***Public Notice Sign Form filled out and in the file.			
Comments:			Permit Intake Initials AME	

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Zone Change Application (Form)

Zone Change Application (Narrative)

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Aerial Photo Showing Wetlands Conveyance & Rezone Parcel

Copy of Black Bear Subdivision Plat

Utilities and Survey Illustrations

Comprehensive Plan Map Designation

Comprehensive Plan Narrative

Zoning Map Designation

Juneau Youth Services – Montana Creek Parcel – US Survey 2551

Non-Jurisdictional Wetland Delineation Bosworth Botanical Consulting



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

Lot 3, Black Bear Subdivision

IS THIS AN EXPANSION OF AN EXISTING AREA?

Yes, it is an expansion of the adjacent D-3 residential zoning. The total area of proposed zoning change is ten acres. The current zoning designation is D-1. The zoning designation requested is D-3, consistent with the adjacent residential neighborhood. The Comprehensive Plan Designation is for the subject property is ULDR (Urban Low Density Residential), defined as 1 to 6 residential units per acre. The Comprehensive Plan Map designates the property as ULDR.

TYPE OF ZONE CHANGE REQUESTED

Regular

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

No

UTILITIES AVAILABLE

Public water and sewer are available at Silver Street.

PURPOSE OF THE REQUESTED ZONE CHANGE

The purpose of the requested zone change is to allow residential development of the property at a zoning density consistent with the adjacent D-3 neighborhood.

IS THERE A PROPOSED USE OF THE LAND?

Future residential development is envisioned; however, there is no specific proposal at this time.

PROPOSED BUFFERS TO ADJACENT ZONES?

Adjacent property on the east is zoned D-3 residential, with residential development on the west side of Wren Drive abutting the subject property. Adjacent property to the West, North and South is zoned D-1 and is held in a conservation easement that prohibits future development.

DESCRIBE (INCLUDING TYPE AND DENSITY OF PROPOSED DEVELOPMENT):

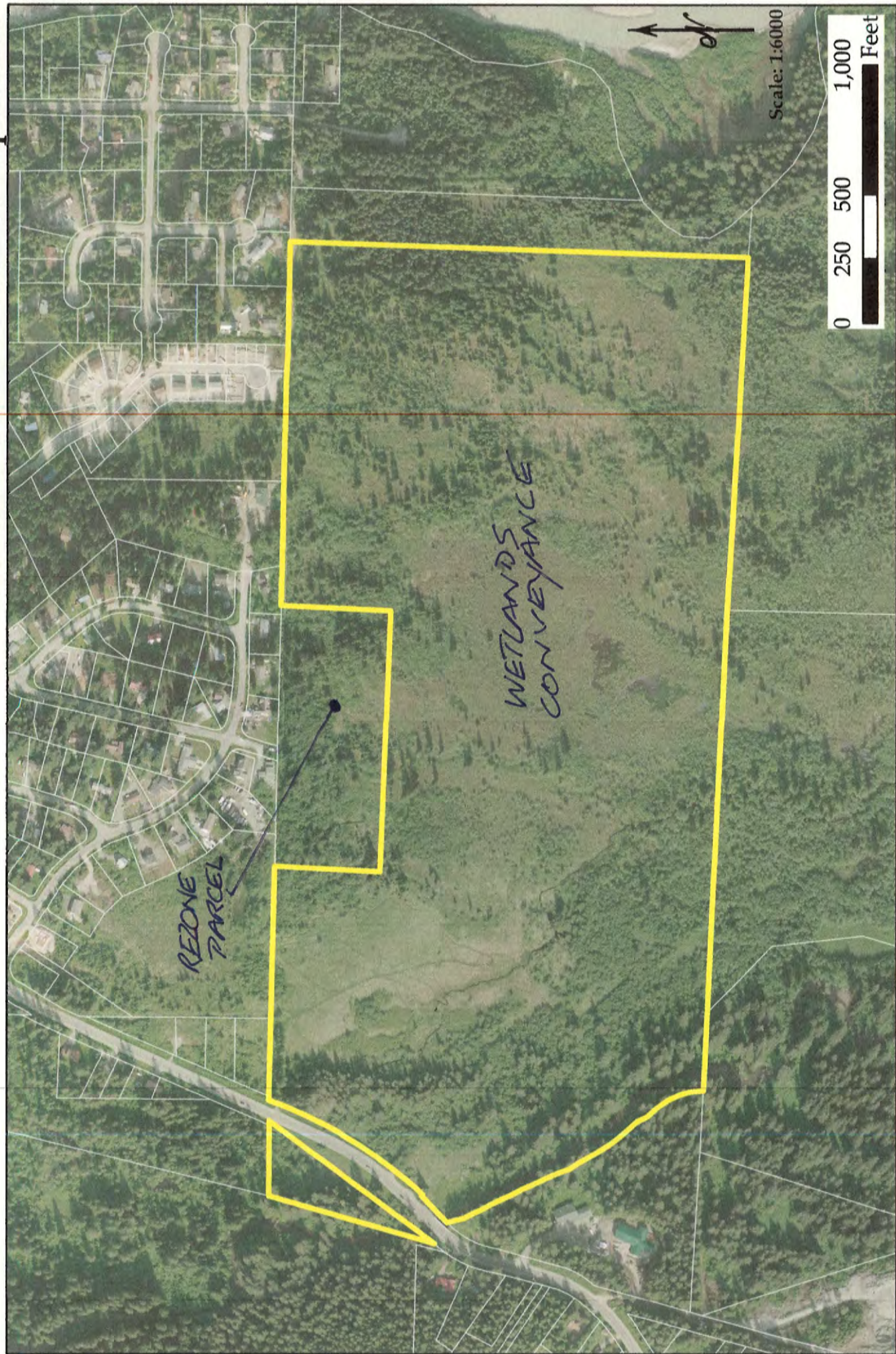
There is no development proposal at this time. Juneau Youth Services will seek development and realty expertise in determining future use and disposition of the property. Density will not exceed that allowed in the D-3 residential zone.

DESCRIBE ANY POTENTIAL IMPACTS TO PUBLIC INFRASTRUCTURE

Water and Sewer. Utilities will be extended from Silver Street. Sanitary sewer runs by gravity within the easement on the north line of the lot. Water will be extended from the Wren Drive and Silver Street intersection. A pump station is within the alignment of the ROW to the subject property. The utilities are properly sized to accommodate D-3 residential development on the subject parcel.

Streets. Access to the Back Loop Road is via Silver Street and Wren Drive. Vehicle trips per-day, per-household can vary widely, but can be 'averaged' at about ten trips per day assuming two or more drivers per household. This could result in up to 360 trips per day if the property is fully developed at three units per acre. Adjacent streets and arterials should have sufficient capacity to accommodate this additional traffic.

Montana Creek Wetlands Aquisition



SEAL Trust aquisition: 130 acres

 SEAL Trust Acquisition Boundary

CBJ parcels, 2012

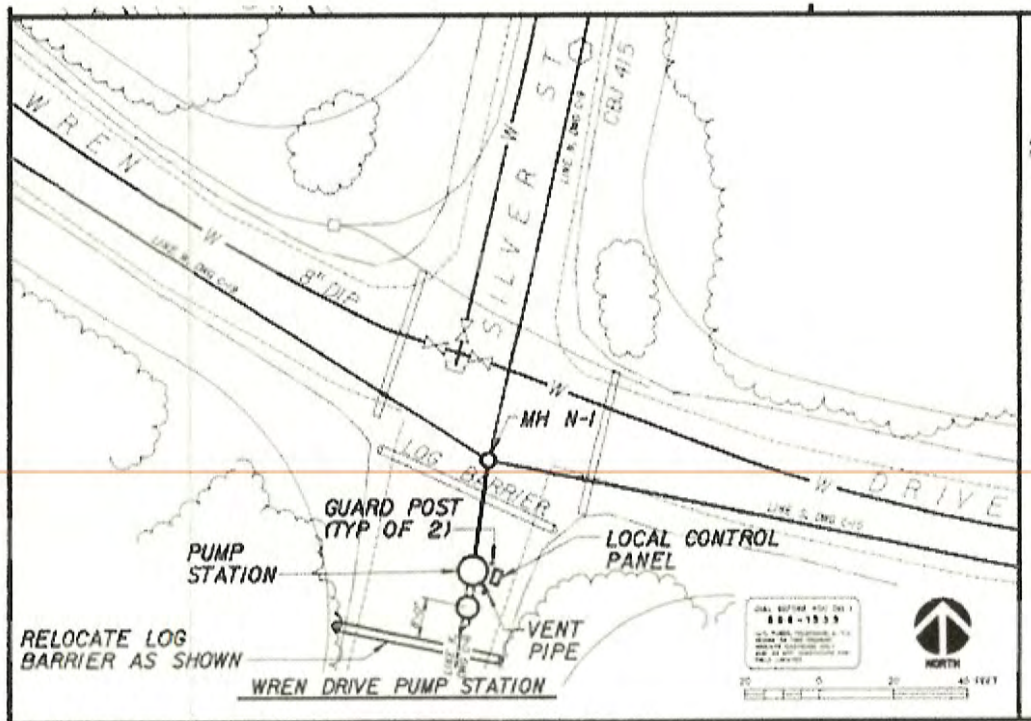
Prepared by A.Hoffard 6/13/2013
Data sources: USFWS 2006, CBJ 2012

PROJECT DESCRIPTION

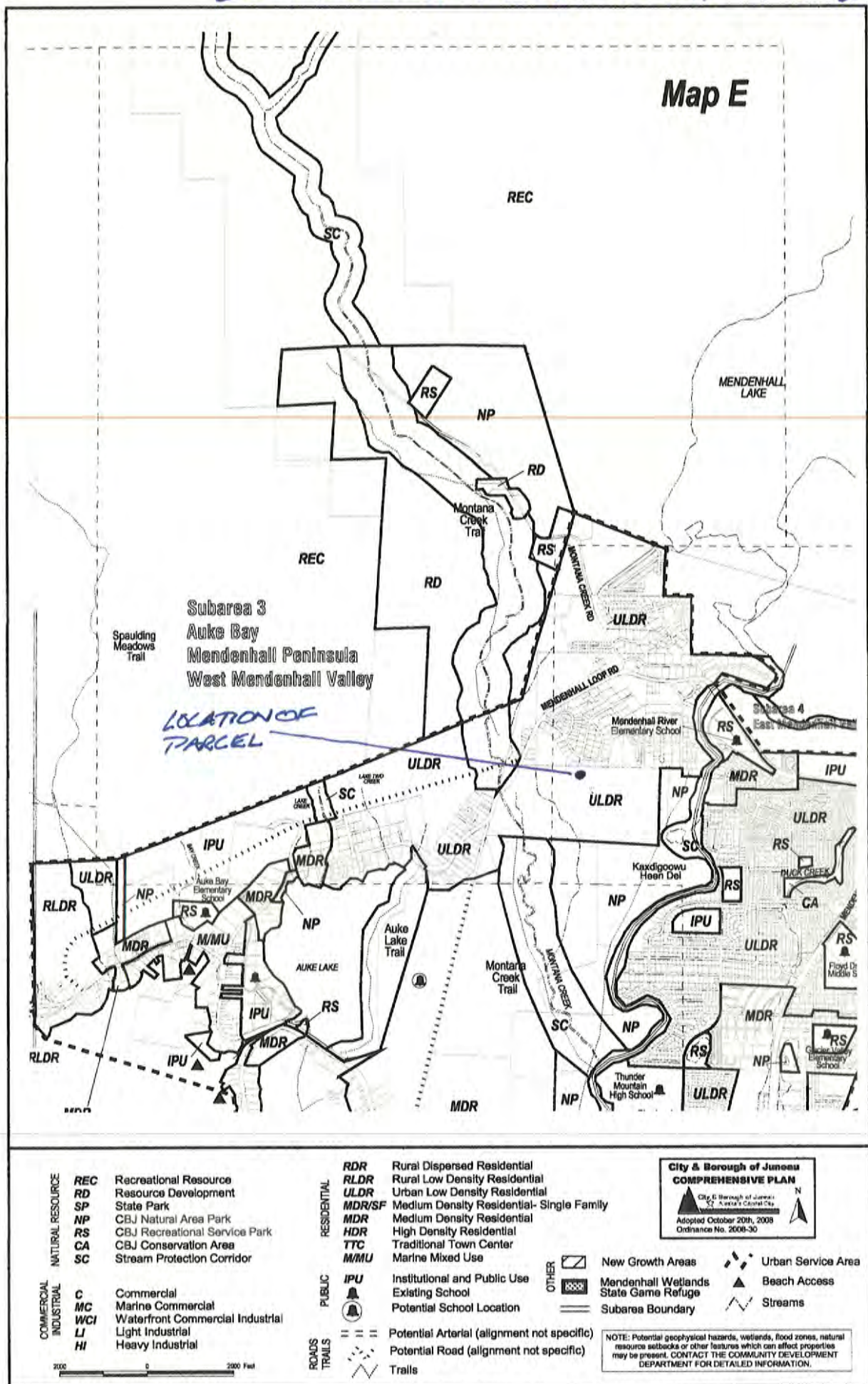
Juneau Youth Services (JYS) recently platted its 148+ acre parcel on the Back Loop Road into Lots 1, 2 and 3 of the Black Bear Subdivision. Lot 1, which comprises almost 128 acres of Montana Creek wetlands, was purchased by SEALTrust for conveyance to the City and Borough in a permanent conservation status. JYS retained Lot 2, on the west side of Montana Creek, for its Montana Creek campus, and Lot 3, adjacent to existing development in the McGinnis Subdivision, as income and investment property.

JYS conducted with Koren Bosworth in 2013 to conduct a wetlands survey of the 148 acre parcel (the study is attached). The survey revealed that the recently-created Lot 3 is almost entirely uplands, with marginal wetlands occupying about one-half acre. Access to the property is via a platted right-of-way (Silver Street) that abuts the property on the east. Water and sewer utilities are in the Silver Street ROW and available to the property.

JYS does not have a specific development proposal at this time, but desires the opportunity for future development of the property at a density consistent with the adjacent D-3 residential zone. The property has street and utility access, is close to an arterial road, and within minutes of Valley services. It fronts protected wetlands.



2013 COMP PLAN MAP UPDATE



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. Watersheds are overlay land use designations that transcend other land use designation boundaries.

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.

Hazard areas are overlay land use designations that transcend other land use designation boundaries. Although any zoning district could be overlaid by the HA land use designation, residential densities should be kept low in areas designated as within hazard areas in regulatory maps, unless substantial effort to protect residents is made in project design and construction. The Hazard Areas shown on the Comprehensive Plan Land Use Maps are general in nature; regulatory maps must be based on careful scientific review of site-specific conditions, and will be more specific.

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 viewsheds:

1. demonstrate a scenic view of great natural beauty, a spectacular landscape, an important historic building or site;
2. provide views of the aurora borealis, sea, harbors, or of a cityscape that is a "signature" viewscape of the CBJ; and,
3. is valued by residents and visitors alike and conveys the Juneau area as a special place.

Lands within the scenic corridor or viewshed 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 viewshed. 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 will vary widely so IPU-designated lands can be under any zoning district, with the uses thereon appropriate for that zone as regulated in the Table of Permissible Uses (CBJ 49.25.300); the zone of any particular public use should be the same district as the surrounding or abutting lands.

Resource Development (RD).

Land to be managed primarily to identify and conserve natural resources until specific land uses are identified and developed. The area outside the study area of this Comprehensive Plan is considered to be designated Resource Development. As resources are identified or extracted from these lands, they should be re-designated and re-zoned appropriately.

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, as regulated in the Table of Permissible Uses (CBJ 49.25.300).

Medium Density Residential (MDR).

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

Medium Density Residential—Single Family Detached (MDR/SF).

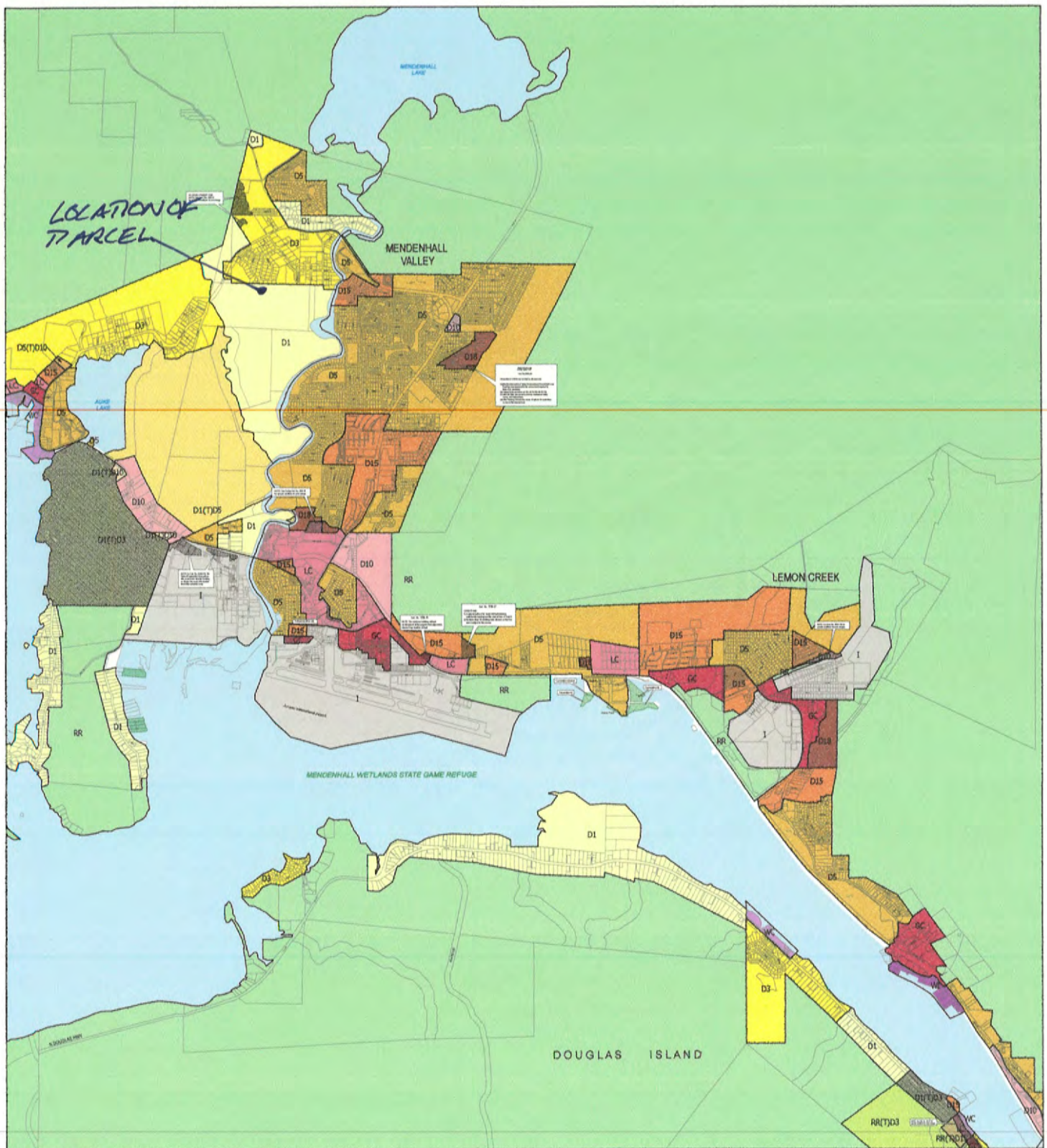
These lands are characterized by single-family detached homes at densities ranging from 10 to 20 units per acre. Only single-family detached homes, single-family detached homes with an accessory apartment, cottage houses and bungalow houses are permitted within this zone. Any commercial development should be of a scale consistent with a single-family residential neighborhood, as regulated in the Table of Permissible Uses (CBJ 49.25.300).

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, as regulated in the Table of Permissible Uses (CBJ 49.25.300).

Traditional Town Center (TTC).

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 at 18 or more 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.



Mendenhall Valley & Lemon Creek ZONING MAP

ZONING MAP

ZONING DISTRICTS

- | | | |
|---------------------------|---------------------------|----------|
| D1 Single Family & Duplex | I Industrial | D1(T)03 |
| D3 Single Family & Duplex | MU Mixed Use | D1(T)10 |
| D5 Single Family & Duplex | MU2 Mixed Use | D1(T)05 |
| D10 Multi Family | WC Waterfront Commercial | D18(T)15 |
| D15 Multi Family | WI Waterfront Industrial | D3(T)18 |
| D18 Multi Family | RR Rural Reserve | D3(T)05 |
| LC Light Commercial | RR(T)D15 Transition Zones | D5(T)10 |
| GC General Commercial | RR(T)D15 Transition Zones | D5(T)18 |

Single Family & Duplex
Transition Zones

Disclaimer

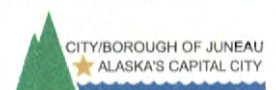
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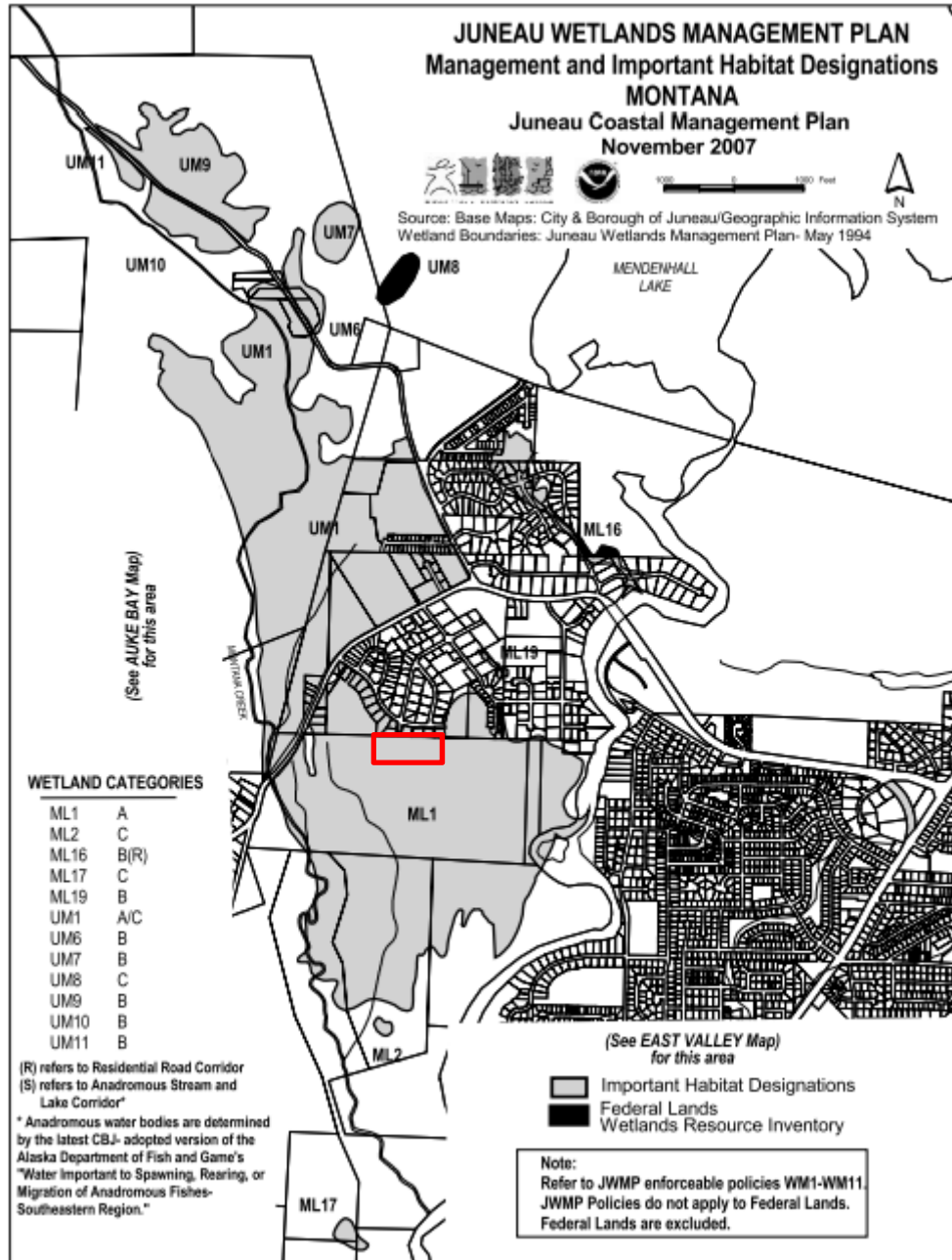
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Suggestions for corrections and improvements to the CBJ zoning maps should be directed to:

Geographic Information Systems
gis@ci.juneau.ak.us
(907) 586-0762





Subject Parcel

***Juneau Youth Services – Montana Creek Parcel
– US Survey #2551 – Non-Jurisdictional
Wetland Delineation***

10/24/2012

Bosworth Botanical Consulting

Koren Bosworth

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Introduction

In preparation for sale of wetland portions of their property to the SE Alaska Land Trust (SEAL Trust), Juneau Youth Services (JYS) requested Bosworth Botanical Consulting do a survey of the property (US Survey #2551 – approximately - 156.38 acres) to determine where wetland boundaries fall in one area and to reassess two earlier wetland delineations for any changes in wetland boundaries.

Methods

The project area was visited for delineation and mapping on October 13-15, 2012. The weather for all of the visits was rainy and in the 40's Fahrenheit. National Weather Service records show that 2.04 inches of rain fell on the 13th and 3.64 inches fell in the first 15 days of October.

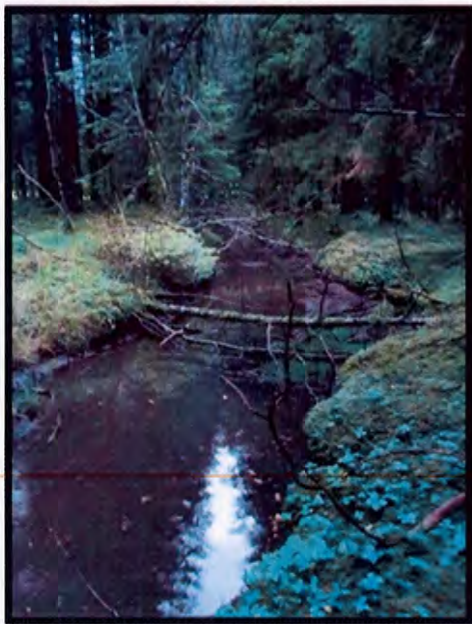
Although this is not a jurisdictional determination the US Army COE delineation methodology was used, as outlined in the 1987 *Corps of Engineers Wetland Delineation Manual* - for Routine Determinations and supplemented by the, *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Alaska Region* – November, 2007.

Representative sample points were done in the parts of the project area that were of particular interest - the NE corner of the parcel, the north central part along the Wren Drive edge and on the NE side of Montana Creek at the Montana Bill site. Both of the last two area have had previous wetland delineations.

At each sampling point, the wetland status of that point was determined by observing indicators of hydrophytic vegetation, hydric soil, and wetland hydrology. Vegetation was divided into three strata; tree, shrub and forb, and each layer was classified using the prevalence index (a weighted-average wetland indicator status of all plant species in the sample plot) and the dominance test (more than 50% of the dominant plant species across all strata are rated obligate, facultative wet or facultative). The 2012 U.S. Army Corps of Engineers *National Wetland Plant List –Alaska Region* was used to classify plants. Hydrology was determined using two methods: (1) visually, if the water table is at or above the surface, or (2) with a soil pit. The presence of standing water, depth to free water in the soil pit, and depth to saturated soils were recorded. Other primary and secondary hydrology indicators were recorded, such as presence of watermarks, sediment deposits, drift deposits, iron deposits, hydrogen sulfide odor, geomorphic position, and drainage patterns in wetlands. Soil pits were dug to a depth of 12-18 inches, or to bedrock or sediment refusal, to determine if indicators of hydric soils were present. Soil colors were determined from a moist sample with the Munsell Soil Color Chart.

Project Area Description

The project area is a broad, flat, Holocene, outwash plain found between Montana Creek and the Mendenhall River. The outwash material in the area is a fairly uniform, medium-fine grained



organic layers over sand with silt lenses.

Figure 1 - Ditch draining the NE corner of the project area.

Montana Creek.

sand with lenses of relatively impermeable glacial silt. Wetter portions of the project area have a 9-20 inch surface layer of fibrous sedge peat.

There are several man-made ditches draining the north-central and the NW part of the parcel. These ditches transition to and join other natural drainages across the parcel that flow southwest into Montana Creek and southeast into the Mendenhall River respectively. Montana Creek flows into Mendenhall River, which flows into the ocean at Gastineau Channel.

The wetlands of the JYS parcel are abutting or adjacent to "traditional navigable waters" (TNW) and "relatively permanent waters" (RPW) - the ditches and streams of the area - and so they are jurisdictional waters of the US. The project area has very young soils with shallow

The dominant vegetation on the project area is a red alder, willow shrub-scrub and Sitka sedge marsh mosaic with young spruce forest patches along the edges and along



Figure 2 - A soil profile from the north central part of the project area showing peat over glacial silts.



Figure 3 - Typical red alder/willow/Labrador tea community.



Figure 4 - Looking over the transition between the disturbed upland and the wetland at Montana Bill's area.



Figure 5 - Typical view of young spruce forest in NE corner of project area.

Project Area Plant List

Scientific name/ common name/ indicator status/ 4-letter plant code

Agrostis exarata/ spikes bent/FACW/AGEX
Alnus rubra/red alder/FAC/ALRU
Alnus viridis/Sitka alder/FAC/ALCR
Athyrium filix-femina/ lady fern/FAC/ATFE
Carex sitchensis/Sitka sedge/OBL/CASI
Cornus canadensis/dwarf dogwood/FACU/COCA
Dryopteris expansa/spiny wood fern/FACU/DREX
Equisetum arvense/horsetail/FAC/EQAR
Ledum groenlandicum/Labrador tea/FACW/LEGR
Lysichiton americanum/skunk cabbage/OBL/LYAM
Maianthemum dilatatum/false lily of the valley/FACU/MADI
Menziesia ferruginea/false azalea/FACU/MEFE
Oplopanax horridus/devils club/FACU/OPHO
Picea sitchensis/Sitka spruce/FACU/PISI
Rubus pedatus/trailing raspberry/FAC/RUPE
Rubus spectabilis/salmonberry/FACU/RUSP
Salix barclayi/Barclay's willow/FAC/SABA
Salix commutata/Hairy willow/FAC/SACO
Salix sitchensis/Sitka willow/FAC/SASI
Sambucus racemosa/red elderberry/FACU/SARA
Scirpus microcarpus/small-flowered bulrush/OBL/SCMI
Taraxacum officinale/dandelion/FACU/TAOF
Tiarella trifoliata/foamflower/FAC/TITR
Tsuga heterophylla/western hemlock/FAC/TSHE
Vaccinium ovalifolium/early blueberry/FAC/VAOV
Vaccinium uliginosum/alpine blueberry/FAC/VAUL

Discussion

Figure 6 is a 2006 aerial photograph with the CBJ parcel boundaries overlain and Figure 7 is a detail of the NE corner of the same area. GPS tracks from Bosworth Botanical Consulting's October 2012 visits to the study area have been added in Arcmap.

Surveys in the NE corner have shown that most of the forested area in this corner is upland. The shaded area on Figures 6 and 7 is upland and comprises 9.4 acres.

The northwest or Montana Bill part (2.4 acres) of the project area was delineated the first time in June of 2007 and at that time it was found to be upland in the areas that had been drained and plowed and wetland in the areas to the east of the upland. The second survey this fall showed a similar result.

The north central part (5.5 acres) of the project area was delineated in May of 2007 and this area was the second of the areas looked at in detail for changes in the upland/wetland boundary. The 1st delineation was done in the early summer in the dry season. The second "delineation" was done during the wettest part of the fall. It makes it difficult to compare the results. There are 3 different plant communities in this sub-area: a young spruce forest, a scrub-shrub dominated by shrubby red alder, Labrador tea and bog blueberry and a Sitka sedge marsh. At the time of the first delineation the spruce forest had upland vegetation, upland soil and upland hydrology therefore an upland site, the scrub-shrub had wetland vegetation, young soils with indicators of wetland soil and upland hydrology - therefore an upland site, and the sedge marsh had wetland vegetation, wetland soils and wetland hydrology - a wetland site. During the second delineation visit, the spruce forest had upland vegetation, upland soils and upland hydrology - therefore a wetland site, the scrub-shrub had wetland vegetation, young soils with indicators of wetland soil and wetland hydrology - therefore a wetland site, and the sedge marsh had wetland vegetation, wetland soils and wetland hydrology - a wetland site. A more complete survey of the scrub-shrub area to solve the discrepancy between the two survey results, would include weekly checking of the water levels in the scrub-shrub community. In order for the area to be a wetland it has to have all three of the wetland parameters including saturated soil or a water table within 12 inches of the surface for over two weeks out of the growing season.



Figure 6 - JYC parcel with ditches, drainages (orange lines), and GPS tracks (yellow lines).

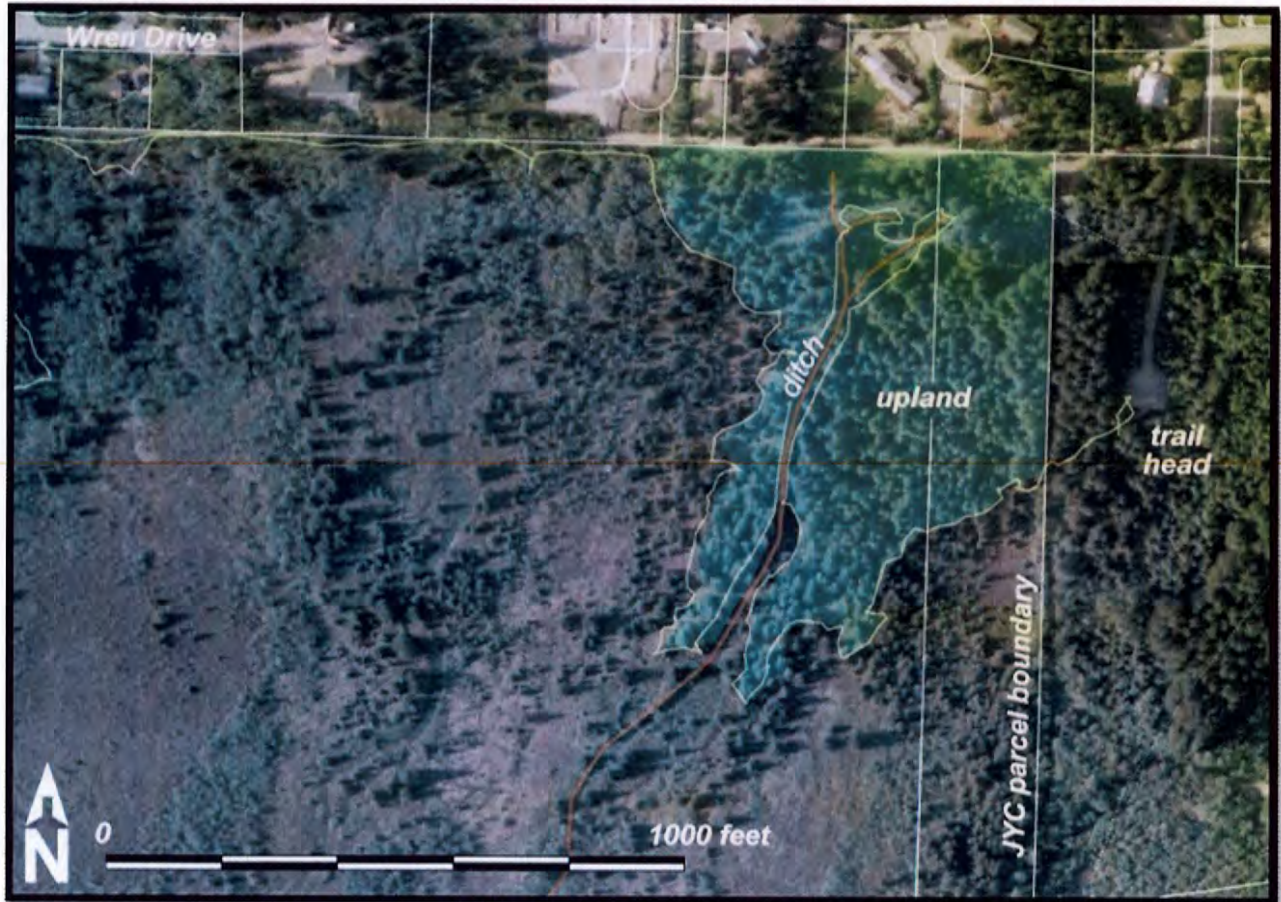


Figure 7 - Detail of NW corner of JYS parcel with wetland/upland boundary.

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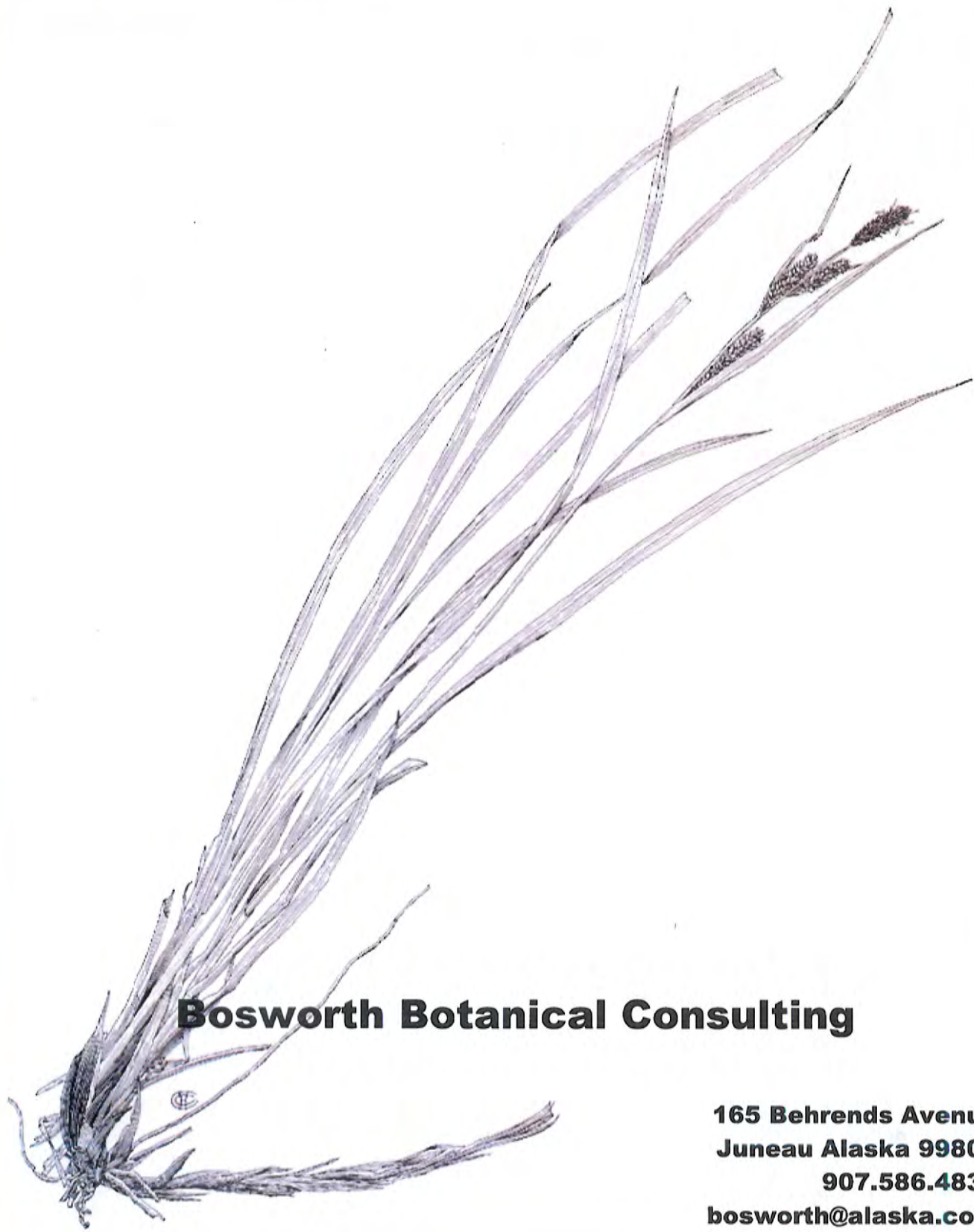
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US Army Corps of Engineers, Oct. 2007. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Alaska Region*, Environmental Laboratory, ERDC/EL TR-06-x, US Army Engineer Research and Development Center, Vicksburg, MS.



Bosworth Botanical Consulting

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Juneau Alaska 99801
907.586.4837
bosworth@alaska.com**

**US Army Corps of Engineers Jurisdictional Determination for:
Juneau Youth Services
USS 2551 – Montana Creek Wetlands
Juneau, Alaska**

**Applicant: John Heimbuch – Community Services Director
Juneau Youth Services
PO Box 32839
Juneau, AK 99803**

**JD Agent : Koren Bosworth – Bosworth Botanical Consulting
165 Behrends Ave
Juneau, AK 99801
907-586-4837
bosworth@alaska.com**

Introduction

The project area is a rectangular-shaped, 5.5 acre piece of property located in the center of the northern boundary of US survey #2551, which is in the northern part of the Montana Creek wetlands in Juneau, Alaska. Access to the study area is easiest from the south end of Silver Street, a cross street off Wren Street and 1 block off of the Back Loop of Mendenhall Loop Rd.

Methods

The USCOE methodology was used, as outlined in the 1987 Corps of Engineers Wetland Delineation Manual, for Routine Level 3, and amended by the, Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Alaska Region – Feb. 2006. Most of the study area is a wetland/upland mosaic and falls under the difficult wetland situations - chapter 5 procedure in the 2006 supplement.

A general recon of the site was done. Wetland and non-wetland areas that were big enough to be mapped separately were delineated.

The spring had been an average to slightly wetter than average. There had been no significant rain for at least 10 days before I did the delineation.

Study Site Description

The study area is a 5 acre piece along the edge of an open area that is a complex of wetland types (fen, bog, forested wetland and marsh) on a broad, flat, Holocene outwash plain found between Montana Creek and the Mendenhall River (Figure 6). The outwash material in the study area is a fairly uniform, medium-fine sand (Figure 1), with scattered lenses of relatively impermeable glacial silt (Figure 2). Most of the study area is overlain with 9-11 inches of a fibrous, sedge peat, though in the wetter parts on the southern edge of the study area, the peat is over 16 inches deep.

A drainage ditch has been dug on the northwest boundary of the study area and a tributary of that ditch drains much of the western part of the study area. At the time of the survey the water table in the northern boundary ditch was at approximately 25-30 inches below the surface and at 10-15 inches in the southern part of the tributary ditch. Though the water table was below 12 inches over most of the study area, there were many areas where the peat was saturated above the sand and silt. Both the water in the ditches that drain the study area and the natural drainages that start just south of the study area are tributaries of Montana Creek, a "water of the US". Shallow seasonal drainages form in the southern part of the study area and flow south into Montana Creek.

The northern half to two-thirds of the study area has a forest overstory of senescent, multi-stemmed, red alders with scattered Sitka spruce of various ages (Figure 3). There is a sparse understory of shield fern, lady fern, horsetail, trailing raspberry, nagoonberry and a small cover of remnant Sitka sedge. The fibrous sedge peat, vegetation patterns and older aerial photos indicate that as the substrate has dried out (isostatic rebound and/or drainage by ditches and development upstream of the wetland) this forest community has spread south into what probably used to be a mosaic of Sitka sedge marsh and bog blueberry/Labrador tea bog. These are the communities that are found along the southern boundary of the study area though they are being now being invaded by FAC and FACU plants such as bluejoint in the sedge marsh (Figure 5) and willows into the bog (Figure 4).



Figure 1 - Fibrous sedge peat over outwash sand



Figure 2 - Fibrous sedge peat over glacial silt.



Figure 3 - Red alder/Sitka spruce community



Figure 4 - Bog blueberry/Labrador tea being invaded by Barclay's sedge.



Figure 5 - Sitka sedge community with bluejoint coming in.

Plant Species List

Scientific name/ common name/ indicator status

Picea sitchensis/Sitka spruce/FACU
Dryopteris dilatata /shield fern/FACU
Lysichiton americanum/ skunk cabbage/OBL
Cornus canadensis/ dwarf dogwood/FACU
Rubus pedatus/ trailing raspberry/FAC
Alnus rubra/ red alder/FAC
Calamagrostis canadensis/bluejoint grass/FAC
Carex sitchensis/ Sitka sedge/OBL
Ledum groenlandicum/ Labrador tea/FACW
Sphagnum sp. /peat moss/OBL
Athyrium filix-femina/ lady fern/FAC
Viburnum edule/ highbush cranberry/FACU
Rubus arcticus/nagoonberry/FAC
Potentilla palustris/marsh five finger/OBL
Salix barclayi/Barclay's willow/FAC
Vaccinium uliginosum/ bog blueberry/FAC

Trientalis europaea/Starflower/FAC
Equisetum palustris/marsh horsetail/FACW
Sambucus racemosa/ red elderberry/FACU

Conclusions

Based on the vegetation, hydrology and soils I have determined that:

An approximately .78 acre area in the southeast corner of the study area is wetland – it is drained by a shallow seasonal drainage that is a tributary of Montana Creek (Figure 7).

An approximately .19 acre are in the southwest corner of the study are is wetland – it is drained by a shallow seasonal drainage that is a tributary of Montana Creek (Figure 7).

Wetland Functions and Values

The Juneau wetland management Plan classifies the Montana Creek wetland (ML1), which includes the study area, as a class A wetland.

Study area wetland functional ratings as per *Adamus*, 1987:

Function	Value
Groundwater discharge	Low
Groundwater recharge	High
Surface Hydrologic control	High
Sediment/Toxicant control	High
Nutrient export	High
Riparian support	High
Erosion sensitivity	Low
Salmonid habitat	High
Disturbance sensitive wildlife	Medium high
Regional ecological diversity	High
Recreational Use /potential	High
Recreational use/actual	Medium low
Downslope beneficiary sites	High

Attached:

Wetland map

Location map

Aerial photo

COE Wetland Determination Data Sheets

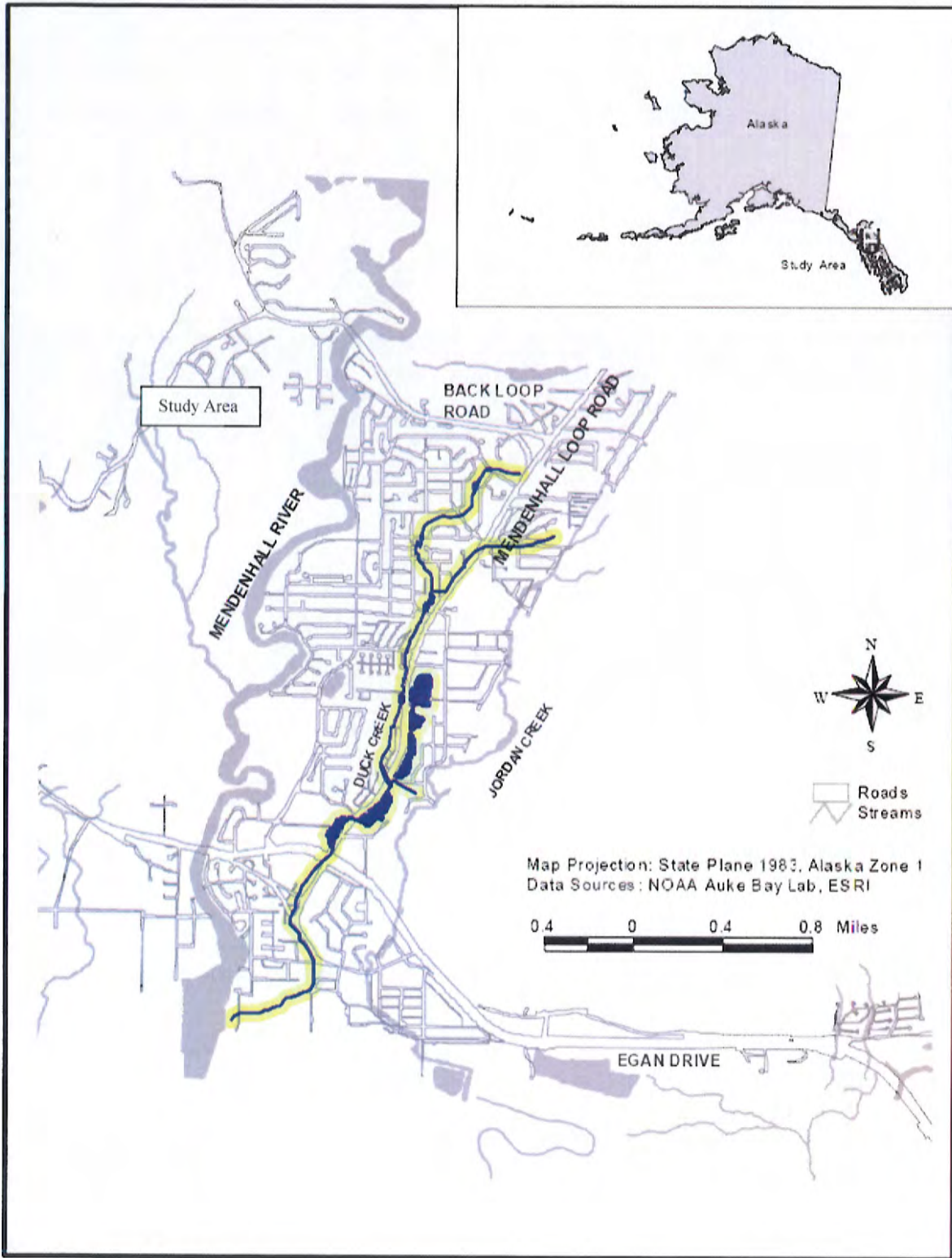


Figure 6 - Location Map

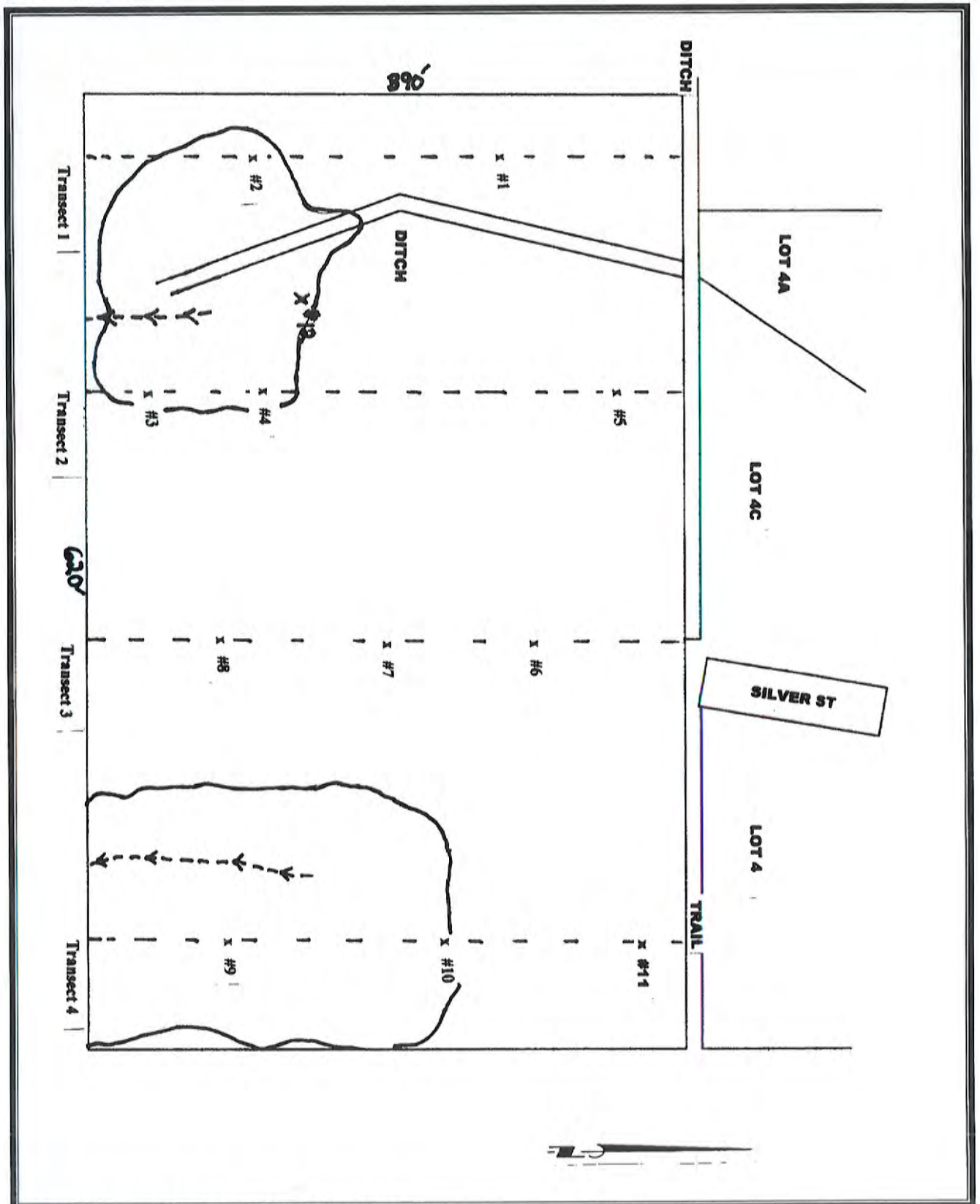
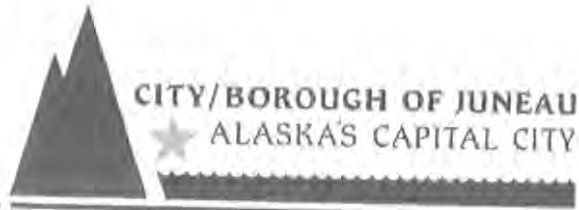


Figure 7 - Juneau Youth Services Wetland Map



**NOTICE OF NEIGHBORHOOD MEETING
FOR REZONE REQUEST**

Thunder Mountain High School Library
Monday, July 28, 6:30-8:00 p.m.

July 8, 2014

Dear Resident,

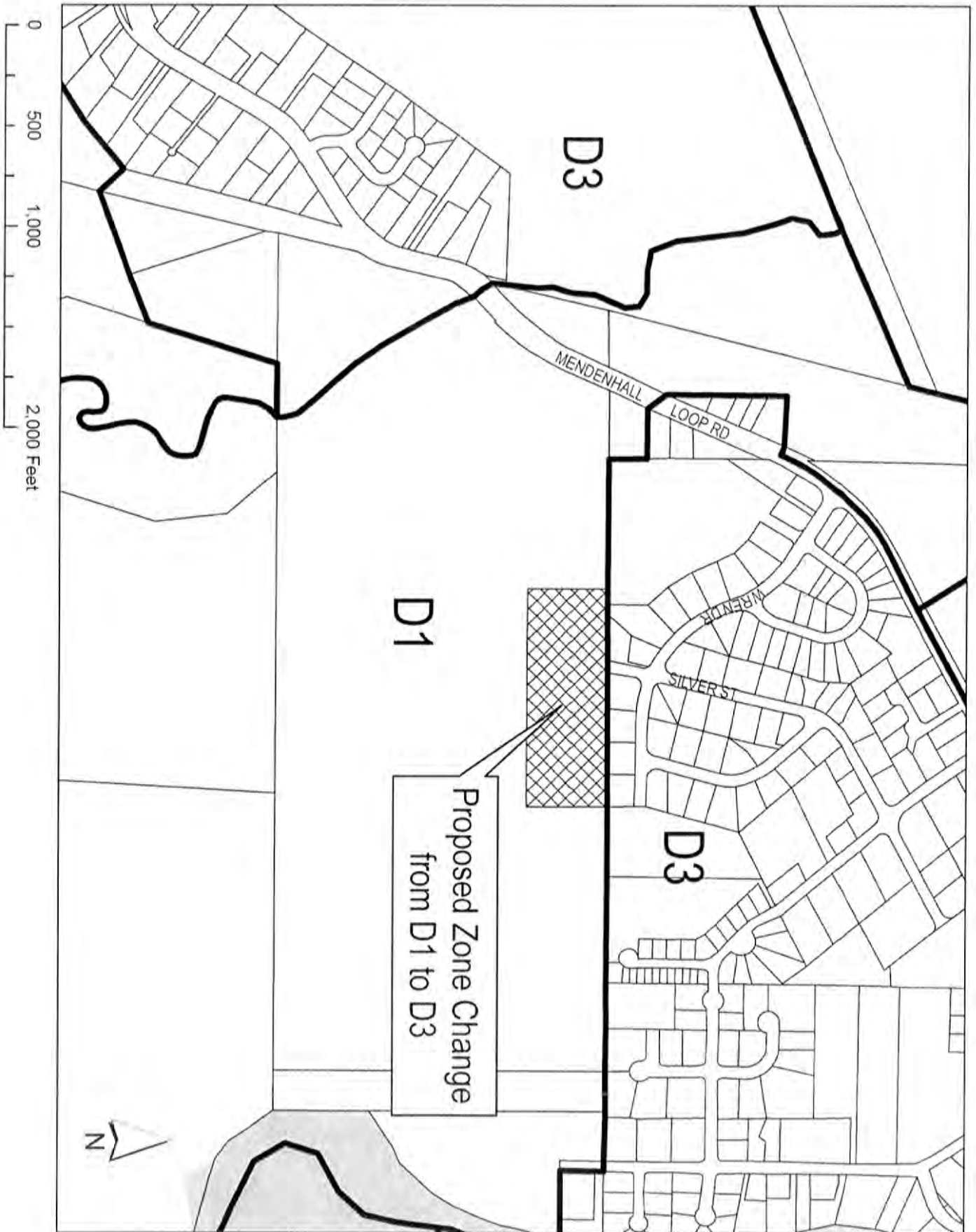
The CBJ Community Development Department received a Zone Change Application to rezone Lot 3 of Black Bear Subdivision at the south end of Silver Street from D-1 to D-3.

The CBJ Community Development Department is hosting a neighborhood meeting to explain the details and the CBJ rezone process. This meeting will be held on Monday, July 28, 2014, from 6:30 to 8:00 p.m. in the library at Thunder Mountain High School.

The purpose of the July 28th meeting is to provide information, respond to questions, and to get a sense of concerns that the neighborhood might have, so issues may be addressed in advance of the formal public hearing with the CBJ Planning Commission. The project has been scheduled for review by the Planning Commission at the August 26th Regular Meeting. Prior to the meeting all landowners within 500 feet of the proposed rezone will receive a separate notice with details on how and where to submit comments or testify on the proposal.

If you have questions or would like more information, please contact Jonathan Lange, Community Development Planner, at 586-0218 or by email at jonathan_lange@ci.juneau.ak.us.

cc: File number AME2014 0009



AGENDA

Neighborhood Meeting For Proposed Rezone of Lot 3 Black Bear Subdivision At the South End of Silver Street from D-1 to D-3

July 28, 2014

Thunder Mountain High School Library

6:30 – 8 pm

- Welcome – Introductions
- Why we are here? – Application and Rezone Process
- Proposed Project –
 - Applicant
- What happens next? –
 - Staff Report – Please have comments in by Noon on August 12th
To: Jonathan Lange or jonathan_lange@ci.juneau.ak.us
155 S. Seward St.
Juneau, AK 99801
Ph: (907)586-0218
Fax: (907)586-4529
 - August 26th at 7pm, Planning Commission Meeting –
City Hall, Assembly Chambers
 - Public Testimony
 - September 29th at 7pm, Regular Assembly Meeting –
City Hall, Assembly Chambers
 - Public Testimony
- Questions, Comments, and Concerns –

Juneau, Alaska, Code of Ordinances >> PART II - CODE OF ORDINANCES >> TITLE 49 - LAND USE >>
Chapter 49.75 - REZONINGS, SPECIAL STANDARDS, REGULATIONS AND TEXT AMENDMENTS >> ARTICLE
I. REZONINGS >>

ARTICLE I. REZONINGS

49.75.110 Initiation.

49.75.120 Restrictions on rezonings.

49.75.130 Procedure.

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.

49.75.120 Restrictions on rezonings.

Rezoning requests covering less than two acres shall not be considered unless the rezoning constitutes an expansion of an existing zone. Rezoning requests which are substantially the same as a rezoning request rejected within the previous 12 months shall not be considered. A rezoning shall only be approved upon a finding that the proposed zoning district and the uses allowed therein are in substantial conformance with the land use maps of the comprehensive plan.

Serial No. 2012-31(b), § 2, 8-27-2012

49.75.130 Procedure.

A rezoning shall follow the procedure for a major development permit except for the following:

- (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

Serial No. 2012-11, § 2, 4-2-2012

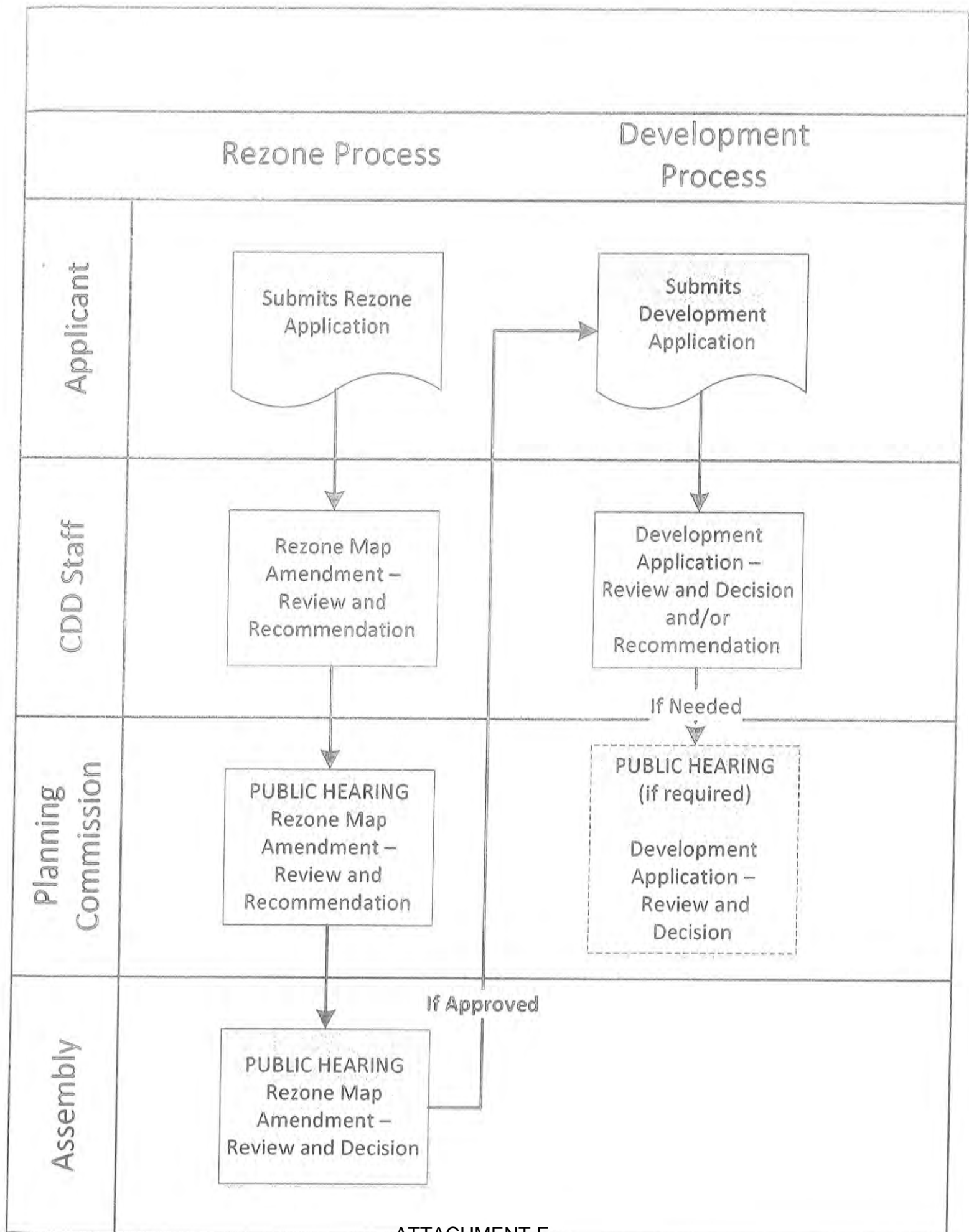


TABLE 49.25.400

TABLE OF DIMENSIONAL STANDARDS

Zoning Regulations	RR	D-1	D-3	D-5	D-10	D-15	D-18	MU	MU2	LC	GC	WC	WI	I
Minimum Lot Size ¹														
Permissible Uses	36,000	36,000	12,000	7,000	3,600 ¹⁰	6,000	5,000	4,000	4,000	2,000	2,000	2,000	2,000	2,000
Bungalow ⁹		18,000	6,000	3,500	2,500	3,000	2,500							
Duplex	54,000	54,000	18,000	10,500										
Common Wall Dwelling				7,000	3,600 ¹⁰	5,000	2,500		2,500					
Single-family detached, two dwellings per lot	72,000	72,000	24,000											
Minimum lot width	150'	150'	100'	70'	40'	50'	50'	50'	50'	20'	20'	20'	20'	20'
Bungalow ⁹		75'	50'	35'	25'	25'	25'							
Common wall dwelling				60'	40'	30'	20'		20'					
Minimum lot depth	150'	150'	100'	85'	85' ¹⁰	85'	80'	80'	80'	80'	60'	60'	60'	60'
Maximum lot coverage														
Permissible uses	10%	10%	35%	50%	50%	50%	50%	None	80%	None	None	None	None	None
Conditional uses	20%	20%	35%	50%	50%	50%	50%	None	80%	None	None	None	None	None
Maximum height permissible uses	45'	35'	35'	35'	35'	35'	35'	None	45' ⁴	45'	55'	35' ⁴	45' ⁴	None
Accessory	45'	25'	25'	25'	25'	25'	25'	None	35'	35'	45'	35' ⁴	45' ⁴	None
Bungalow ⁹		25'	25'	25'	25'	25'	25'							
Minimum front yard setback ³	25'	25'	25'	20'	20' ¹⁰	20'	20'	0'	5' ^{5,8}	25'	10'	10'	10'	10'
Minimum street side yard setback	17'	17'	17'	13'	10'	13'	13'	0'	5'	17'	10'	10'	10'	10'
Minimum rear yard setback ³	25' ²	25'	25'	20'	10'	20'	15'	0'	5'	10'	10'	10'	10'	10'
Minimum side yard setback ³	15' ²	15'	10'	5'	3'	5'	5'	0'	5'	10'	10'	10'	10'	0'
Common wall dwelling				10' ⁶	3'	5' ⁷	5' ⁷		5' ⁷					

Notes:

1. Minimum lot size is existing lot or area shown on chart in square feet.
2. Sixty feet between nonresidential and designated or actual residential site; 80 feet between industrial, extractive and other uses.
3. Where one district abuts another the greater of the two setbacks is required for both uses on the common property line.
4. (Height Bonus) Reserved.
5. (Pedestrian Amenities Bonus) Reserved.
6. Zero-foot setback for the portion of the dwelling with a common wall, five-foot setback or five-foot wide easement for the portion of the dwelling at the common lot line without a common wall, and ten-foot setback for the remaining side yards of the lot.
7. Zero-foot setback for the portion of the dwelling with a common wall, five-foot setback or five-foot wide easement for the portion of the dwelling at the common lot line without a common wall, and five-foot setback for the remaining side yards of the lot.
8. On corner lots, buildings shall be set back 15 feet from a street intersection. The area in which buildings shall be prohibited shall be determined by extending the edge of the traveled ways to a point of intersection, then measuring back 15 feet, then connecting the points.
9. Special restrictions apply to construction on bungalow lots. See special use provisions 49.65.600.

TABLE OF PERMISSIBLE USES

The uses allowed in each zoning district are determined and arranged in the Table of Permissible Uses (attached).

First, look through the "Use Description" in the left column of the Table to find which category your project fits in. Then find the zone where the property is located.

Use Description	Zones											
	RR	D-1	D-2	D-5	D-10	D-15	D-18	LC	GC	MU	MO2	WC
10.220 Storage inside or outside enclosed structures									3			3 ¹
10.300 Parking of vehicles or storage of equipment outside enclosed structures where they are owned and used by the user of the lot and parking and storage is more than a minor and incidental use of the lot.									3			

Once you have the intersection of the "Zoning District" and the "Use Description", you can then determine the approval procedure of the proposed project:

- No number at the intersection of the use row and the zone column means that the identified use is not permitted in the identified zone.
- The number "1" indicates that the use requires department approval, in conjunction with the issuance of a Building Permit. The use is allowed in the district but limited conditions may be attached to the approval.
- The number "2" indicates the use requires an Allowable Use Permit from the Planning Commission. Such uses are allowed in the district, but specified conditions may be attached to the Allowable Use Permit by the Commission.
- The number "3" indicates the use requires a Conditional Use Permit from the Planning Commission. The use may or may not be allowed at a particular location depending on a determination of its compatibility with surrounding or proposed land uses. The Planning Commission may attach any condition to ensure the compatibility of the proposed use.
- A combination of numbers such as "1,2" or "2,3" indicates that the approval procedure for the identified use in the identified zone will vary depending on whether the project is a major or minor development.

If the project is a minor development, the first number of the combination shall indicate the applicable procedure. If the project is a major development, the second number shall indicate the applicable procedure. To determine whether or not the project is major or minor development, use the following criteria:

- For residential uses, minor development is four or fewer dwelling units. Major development is more than four dwelling units.
- For nonresidential uses, minor development is 5,000 square feet or less of new or significantly changed primary land use. Major development is more than 5,000 square feet of new or significantly changed primary land use.

TABLE OF PERMISSIBLE USES - CBJ 49.25.300

	Use Description	RR	Zones											WI	WC	I
			D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2			
1.000	RESIDENTIAL															
1.100	Single-family dwellings															
1.110	Single-family detached, one dwelling per lot	1	1	1	1	1	1	1	1	1	1	1	1	1 ^A	1	1 ^A
1.120	Single-family detached, two dwellings per lot	1	1	1												
1.130	Single-family detached, accessory apartments	1 ^X , 3 ^X	1 ^X , 3 ^X	1 ^X , 3 ^X	1 ^X , 3 ^X	1 ^X , 3 ^X	1 ^X , 3 ^X	1 ^X , 3 ^X	1 ^X , 3 ^X	1 ^X , 3 ^X	1 ^X , 3 ^X	1 ^X , 3 ^X	1 ^X , 3 ^X		1 ^X , 3 ^X	
1.135	Single-family detached, one or two accessory apartments		3	3												
1.200	Duplex															
1.300	Multifamily dwellings	1	1	1	1		1	1	1	1	1	1	1		1	
1.400	Group homes						1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3		3	
1.450	Halfway houses	1	1	1	1	1	1	1	1	1	1	1	1		1	
1.500	Day care homes	3								3	3	3	3			
1.510	Child; 8 or fewer children under the age of 12	1	1	1	1	1	1	1	1	1	1	1	1			
1.520	Child; 9 to 12 children under the age of 12	3	3	3	3	3	3	3	3	3	3	3	3			
1.530	Adult; 8 or fewer people, 12 years and older	1	1	1	1	1	1	1	1	1	1	1	1			
1.540	Adult; 9 to 12, people 12 years and older	3	3	3	3	3	3	3	3	3	3	3	3			
1.550	Child care residence, 6 to 9 children under 18 years of age	3	3	3	3	3	3	3	3	3	3	3	3			
1.600	Miscellaneous, rooms for rent situations															
1.610	Rooming, boarding houses, bed and breakfasts, single room occupancies with shared facilities, and temporary residences. Owner or manager must live on site.	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1	1		3 ^N	
1.620	Hotels, motels	3														
1.630	Single room occupancies with private facilities						1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3		3 ^N	
1.700	Home occupations	1	1	1	1	1	1	1	1	1	1	1	1		1	1
1.800	Mobile homes															
1.810	Residential mobile homes one individual lots ^E	3	3	3												
1.815	Caretakers mobile homes one individual lots ^E	3	3	3	3	3	3	3	3	3	3	3	3		3	3
1.820	Mobile home parks ^E															
1.830	Mobile home subdivision ^F						3	3	3	3	3					
1.840	Recreational vehicle parks ^F	3 ^P	3 ^P	3 ^P												

		Zones														
	Use Description	RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	WC	WI	I
1.900	Common wall development															
	1.910 Two dwelling units				1	1	1	1	1							
	1.911 Accessory apartments	1 ^N , 3 ^N	1 ^N , 3 ^N	1 ^N , 3 ^N	1 ^N , 3 ^N	1 ^N , 3 ^N	1 ^N , 3 ^N	1 ^N , 3 ^N	1 ^N , 3 ^N	1 ^N , 3 ^N	1 ^N , 3 ^N	1 ^N , 3 ^N	1 ^N , 3 ^N	1 ^N , 3 ^N		
	1.920 Three or more dwelling units					3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			
	1.930 Two dwelling unit structures allowed under special density considerations, subsections 49.25.510(h)			3	3	3	3	3	3	3			3			
2.000	SALES AND RENTAL GOODS, MERCHANDISE OR EQUIPMENT ^G															
2.100	With less than 5,000 square feet and less than 20 percent of the gross floor area of outside merchandising of goods															
	2.110 <i>Reserved</i>															
	2.120 Miscellaneous															
	2.130 Marine merchandise and equipment	3 ^T								1	1	1	1	3 ^N	3 ^N	3
										1, 3	1, 3	1, 3	1, 3	1, 3	3 ^N	3
2.200	Storage and display of goods with greater or equal to 5,000 square feet and/or 20 percent of the gross floor area of outside merchandising of goods									1, 3	1, 3	1, 3	1, 3	3 ^N	3 ^N	3
3.000	PROFESSIONAL OFFICE, CLERICAL, RESEARCH, REAL ESTATE, OTHER OFFICE SERVICES ^G															
3.050	Offices of not more than 1,000 square feet		3	3	3	3	3	3	3	1	1	1	1	1 ^N		
3.100	Offices greater than 1,000 but not more than 2,500 square feet						3	3	3	1	1	1	1	3 ^N		
3.200	<i>Reserved</i>															
3.300	Research, laboratory uses	3 ^T														
3.400	Offices greater than 2,500 square feet									1, 3	1, 3	1, 3	1, 3	1 ^N , 3 ^N	1 ^N , 3 ^N	1, 3
4.000	MANUFACTURING, PROCESSING, CREATING, REPAIRING, RENOVATING, PAINTING, CLEANING, ASSEMBLING OF GOODS ^G															
4.050	Light manufacturing	3 ^T						3	3	1, 3	1, 3	1, 3	1, 3	1 ^N , 3 ^N	1 ^N , 3 ^N	1, 3
4.070	Medium manufacturing	3 ^T									3	3	3	3 ^N	1 ^N , 3 ^N	1, 3
4.100	Heavy manufacturing	3 ^T	3 ^Q											3 ^N	3	
4.150	Rock crusher	3 ^T	1 ^Q												3 ^N	3
4.200	Storage of explosives and ammunition	3													3 ^N	3
4.210	Seafood processing	3 ^T													3 ^N	3
5.000	EDUCATIONAL, CULTURAL, RELIGIOUS, PHILANTHROPIC, SOCIAL, FRATERNAL USES															
5.100	Schools													3	1, 3	1, 3
	5.110 Elementary and secondary schools including associated grounds and other facilities		3	3	3	3	3	3	3	3	3	3	3			
	5.120 Trade, vocational schools, commercial schools	3 ^T														
										3	3	3	3	3 ^N	3 ^N	3
	5.130 Colleges, universities	3 ^T	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N	3
5.200	Churches, synagogues, temples	3 ^T	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1 ^N , 3 ^N	3 ^N	1, 3
5.300	Libraries, museums, art galleries	3 ^T	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	3 ^N		
5.400	Social, fraternal clubs, lodges, union halls, yacht clubs	3 ^T								1, 3	1, 3	1, 3	1, 3	1 ^N , 3 ^N	3 ^N	1, 3

PART II: CODE OF ORDINANCES

		Zones														
	Use Description	RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	WC	WI	I
6.000	RECREATION, AMUSEMENT, ENTERTAINMENT															
6.100	Indoor activity conducted entirely within building or substantial structure															
	6.110 Bowling alleys, billiard, pool halls									1, 3	1, 3	1, 3	1, 3			3
	6.120 Tennis, racquetball, squash courts, skating rinks, exercise facilities, swimming pools, archery ranges				3	3	3	3	3	1, 3	1, 3	1, 3	1, 3			3
	6.130 Theaters seating for 200 or fewer	3 ^T						3	3	1	1	1	1	3 ^N		3
	6.135 Theaters seating from 201 to 1,000									3	1	1	1	3 ^N		3
	6.140 Coliseums, stadiums, and other facilities in the 6100 classification seating more than 1,000 people										3	3	3	3 ^N		
	6.150 Indoor shooting range	1, 3														
6.200	Outdoor activity conducted outside enclosed buildings or structures									3						3
	6.210 Recreational facilities such as golf, country clubs, swimming, tennis courts not constructed pursuant to a permit authorizing the construction of a school	3	3	3	3	3	3	3	3	3	1, 3			3 ^N		3
	6.220 Miniature golf courses, skateboard parks, water slides, batting cages	3	3	3	3	3	3	3	3	3	1, 3	3	3	3 ^N		3
	6.240 Automobile, motorcycle racing tracks, off-highway vehicle parks	3									3					3
	6.250 <i>Reserved</i>															
	6.260 Open space	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	6.262 Parks with improved facilities, not approved in conjunction with a major subdivision															
	6.264 Capacity for up to 20 people ^w	1 ^T	1	1	1	1	1	1	1	1	1	1	1	1	1	3 ^N
	6.266 Capacity for more than 20 people ^w	3 ^T	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N	
	6.270 Aerial conveyances and appurtenant facilities	3	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N	3
	6.280 Shooting ranges	3														
7.000	INSTITUTIONAL DAY OR RESIDENTIAL CARE, HEALTH CARE FACILITIES, CORRECTIONAL FACILITIES															3
7.100	Hospital															
7.150	Health care clinics, other medical treatment facilities providing out-patient care							3	3	1, 3	1, 3	1, 3	1, 3			

	Use Description	Zones													WT	WC	MU	MUE	I
		RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MUE	WT					
7.200	Nursing care, assisted living, sheltered care		3	3	3	3		3	3	3	1, 3	1, 3	1, 3						
7.300	Day care centers for children and adults									1, 3	1, 3	1, 3	1, 3						
7.400	Halfway houses									3	3	3	3						
7.500	Correctional facilities	3	3	3	3	3	3	3	3	3	3	3	3						
8.000	RESTAURANTS, BARS, NIGHTCLUBS																		
8.050	Small restaurants, less than 1,000 ft ² without drive through service	3 ^T								1	1	1	1			1 ^N			
8.100	Restaurants, bars without drive through service	3 ^T								1, 3	1	1, 3	1, 3			1 ^N , 3 ^N			3
8.200	Restaurants, coffee stands with drive through service									1, 3	1		3			1 ^N , 3 ^N			3
8.300	Seasonal open air food service without drive through	3								1, 3	1	1, 3	1, 3			1 ^N , 3 ^N			
9.000	BOAT OR MOTOR VEHICLE, SALES AND SERVICE OPERATIONS																		
9.050	Motor vehicle, mobile home sale or rental									1, 3	1, 3	3	3						1, 3
9.100	Motor vehicle repair and maintenance, including body work									3									1
9.200	Automotive fuel station	3 ^T																	
9.300	Car wash																		
9.400	Boat sales or rental	3 ^T								3	1								1
9.450	Boat repairs and maintenance	3 ^T								3	1								1
9.500	Marine fuel, water sanitation	3 ^T								3	1					1			1
9.600	Marine commercial facilities including fisheries support, commercial freight, passenger traffic	3														1, 3			1, 3
10.000	STORAGE, PARKING, MOORAGE																		
10.100	Automobile parking garages or parking lots not related to a principal use on the lot									3	1	1, 5	1, 3						1
10.200	Storage and handling of goods not related to sale or use of those goods on the same lot on which they are stored																		
10.210	All storage within completely enclosed structures	1, 3	3							3	1	1 ^U , 3 ^U	1 ^U , 3 ^U			1 ^N , 3 ^N			1
10.220	General storage inside or outside enclosed structures	1, 3	3								1, 3					1 ^N , 3 ^N			1
10.230	Snow storage basin																		
10.232	Neighborhood, less than ½ acre	3	3	3 ²	3 ²	3 ²				3 ²	1					3 ²			1
10.235	Regional ½ to 1 acre	3	3	3 ²						3 ²	3					3 ²			1
10.237	Area wide, over 1 acre	3	3	3 ²							3 ²								3
10.300	Parking of vehicles or storage of equipment outside enclosed structures where they are owned and used by the user of the lot and parking and storage is more than a minor and incidental use of the lot	1, 3	3								1, 3					1 ^N , 3 ^N			1

		Zones																	WI	WC	MU2	MU	GC	LC	D-18	D-15	D-10	D-5	D-3	D-1	RR	Use Description																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
10.400	Temporary contractor's storage connected with construction project off-site for a specified period of time	1, 3																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												

	Use Description	Zones													WI	I
		RR	D-1	D-3	D-5	D-10	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	WC	
14.500	Sand and gravel operations ¹	3	3	3											3 ^N	3
14.800	Spring water bottling	3	3	3											3 ^N	3
15.000	MISCELLANEOUS PUBLIC AND SEMIPUBLIC FACILITIES															1, 3
15.100	Post office	3	3	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	3 ^N	1, 3
15.200	Airport	3														1, 3
15.400	Military reserve, National Guard centers	3	3	3							3	3			3 ^N	3
15.500	Heliports, helipads	3													3 ^N	3
15.600	Transit facilities														3 ^N	3
15.610	Transit center			3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3		
15.620	Transit station		1	1	1	1	1	1	1	1	1	1	1	1	1	1
15.630	Park and ride not associated with transit station	3	3	3	3	3	3	3	3	3	1	1	3	3		1
15.700	Public works facility	3	3	3	3						3	3				1, 3
16.000	DRY CLEANER, LAUNDROMAT															
16.100	Drop off and pickup only, no onsite laundry or dry cleaning process									1, 3	1, 3	1, 3	1, 3	1, 3	1 ^N , 3 ^N	1, 3
16.200	Full service onsite laundry and/or dry cleaning										3	1, 3	3	3	3 ^N	1, 3
17.000	UTILITY FACILITIES															
17.100	Minor	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
17.150	Intermediate	3	3	3	3	3	3	3	3	3	3	1, 3	3	3	1, 3	1
17.200	Major	3	3	3	3	3	3	3	3	3	3	3			3	3
17.300	Driveways and private roads															
17.310	Access driveways on public rights-of-way adjoining one to four existing lots	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
17.320	Access driveways on public rights-of-way adjoining five or more existing lots	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
18.000	TOWERS AND RELATED STRUCTURES															
18.100	Towers and antennas 35 feet or less	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
18.200	Towers and antennas 35 to 50 feet	1	3	3	3	3	3	3	3	3	1	1	1	1	1	1
18.300	Towers and antennas more than 50 feet in height	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
18.400	Amateur (ham) radio towers and antennas more than 35 feet in height ¹⁸	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
19.000	OPEN AIR MARKETS, NURSERIES, GREENHOUSES															
19.100	Open air markets (farm, craft, flea, and produce)	1, 3	1, 3								1, 3	1	1, 3	1, 3	1 ^N , 3 ^N	1, 3
19.200	Nurseries, commercial greenhouses															
19.210	Retail sales	3	3	3	3	3	3	3	3	3						
19.220	Nonretail sales	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1	1 ^V	1 ^V		1
20.000	CEMETERY, CREMATORIUM, MORTUARY															
20.100	Cemetery	1, 3	3	3	3	3	3	3	3	3	3	3	3	3		1, 3
20.200	Crematorium	3														

	Use Description	Zones												
		RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	WI
20.300	Funeral home	3	3	3	3	3	3			1, 2	1	3	3	
21.000	VISITOR-ORIENTED, RECREATIONAL FACILITIES													
21.100	Resort, lodge	3	3											
21.200	Campgrounds	1, 3	3											
21.300	Visitor, cultural facilities related to features of the site	3	3							3	3	3	3 ^N	
22.000	TEMPORARY STRUCTURES ASSOCIATED WITH ONSITE CONSTRUCTION													
22.100	Temporary structures used in connection with construction	1	1	1	1	1	1	1	1	1	1	1	1	1

Key:

1. Department approval requires the department of community development approval only.
2. Allowable use permit requires planning commission approval.
3. Conditional use permit requires planning commission approval.
- 2, 3. Allowable use permit required if minor development, conditional use permit required if major development.

Notes:

- A. A single-family residence is allowed as an owner or caretaker residence that is accessory to an existing permitted use in the industrial zone.
- B. *Reserved.*
- C. *Reserved.*
- D. *Reserved.*
- E. See special use regulations for mobile homes, chapter 49.65, article III.
- F. See special use regulations for recreational vehicles, chapter 49.65, article IV. This use allowed by service area designation not zoning district.
- G. All uses subject to additional performance standards; chapter 49.65, article VIII.
- H. *Reserved.*
- I. *Reserved.*
- J. Applies to over 2 acres of harvest area.
- K. See special use regulations, chapter 49.65, article I. Mining operations are a conditional use in the urban mining district and an allowable use in the rural mining district.
- L. See special use regulations, chapter 49.65.200, article II.
- M. Only applicable to the commercial or private stabling of more than three farm animals, or where the running or stabling area is closer than 100 feet to the nearest residence other than the owner for any number of farm animals.
- N. Use must be water-dependent, water-related, or water-oriented.

- O. Standards for collection structures: containers must be well maintained and allow no spillage of contents; a specific person or group must be responsible for maintenance of the structure and that person or group shall have a contact telephone number posted on the collection structure; collect on structure must be situated so as to not affect traffic or parking; directional signs shall be limited to six square feet and identification signs shall be limited to 24 square feet; such signs will not be included in total sign area allowed for a complex, and the structure shall not exceed a height of six feet. Identification is to be in the following format: greater prominence, the City and Borough recycling logo and the recyclable material identification, lesser prominence, the sponsor name and the contact phone number.
- P. Preexisting allowable or conditional use permit. If recycling activity is determined by the director to be an accessory use to a use previously permitted under either an allowable or a conditional use permit, the activity may be approved by the department. Other conditions may be required before recycling activity is permitted.
- Q. Must be in conjunction with an approved state or municipal public road construction project, and must be discontinued at the completion of the project. Road construction by private parties for subdivision development is excluded except as provided in this title. Rock crushed on-site must be used on-site. Crushing shall be limited to 8:00 a.m.—5:00 p.m. unless the director authorizes otherwise.
- R. Towers shall be for amateur use only; meet the setback requirements of the zoning district; be unlit except as required by the Federal Aviation Administration. Towers shall be installed in conformance with a valid building permit, application for which shall include a copy of the applicant's amateur station license.
- S. Limited to lots directly fronting on Glacier Highway West of Industrial Boulevard.
- T. Must be associated with a unique site specific feature in order to function. Example: glacier research station - Juneau Icefield location.
- U. No storage permitted on the first floor of a building.
- V. Primarily intended for rooftop locations in urban areas.
- W. The capacity of a park shall be determined by the Director of the Community Development Department or designee in consultation with the Director of the Parks and Recreation Department.
- X. Special requirements apply to accessory apartment applications. See CBJ§49.25.510(d)(2).
- Z. Snow storage may be permitted for a maximum of five years. After five years a new application must be filed.
(Serial No. 2002-14, § 2, 4-1-5-2002; Serial No. 2002-29, § 2, 11-4-2002; Serial No. 2003-27am, § 5, 6-16-2003; Serial No. 2003-41, § 2, 9-22-2003; Serial No. 2003-41, § 2, 9-8-2003; Serial No. 2004-09, § 2, 4-12-2004; Serial No. 2006-07, § 2, 4-3-2006; Serial No. 2007-39, § 8, 6-25-2007; Serial No. 2009-22(b), § 2, 10-12-2009; Serial No. 2010-22, § 3(Exh. A), 7-19-2010)

Name: _____

Phone: _____ Email: _____

Mailing Address: _____

Name: _____

Phone: _____ Email: _____

Mailing Address: _____

Name: _____

Phone: _____ Email: _____

Mailing Address: _____

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

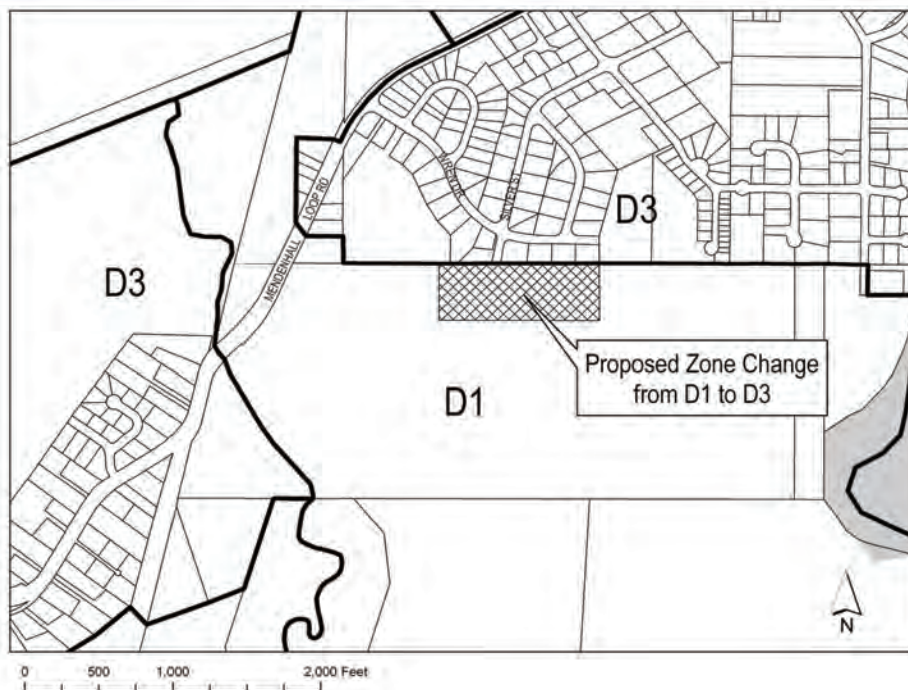
Please have comments submitted by Noon August 12th
Email comments to: jonathan_lange@ci.juneau.ak.us

Neighborhood Meeting - Thunder Mountain High School, Library
July 28th, 2014 6:30pm-8:00pm

NAME	ADDRESS	PHONE NUMBER
John Kleinbuch	20200 Lake	789-5048
Ruth M. Monahan	4924 Hummingbird Lane	463-3381
Christina Muscare	4928 Wren Dr.	789-2907
MART R. MURRAY	4928 WREN DR.	789-2907
MATE HEUSTON	4926 WREN	238-1114
Kim Jones	10130 Silver St	780-4898
Kathy Corazza	10118 Silver St	788 -9170
Kristi E. Pratt	4908 Wren	
Walter Bryant	4926 Wren Dr.	321-5400
David Bryant	4907 Wren	
Nonie		321-1977
Weinberg	4920 Hummingbird Lane	789-5453
Tracy Morrison	4916 Wren Dr.	789-0030
Maureen Hansen	4915 Wren Dr	790-3320



NOTICE OF PUBLIC HEARING



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

SHIP TO:



PROPOSAL: An Application to Rezone Lot 3 of Black Bear Subdivision at the south end of Silver Street from D-1 to D-3.

File No:	AME2014 0009	Applicant:	Juneau Youth Services, Inc.
To:	Adjacent Property Owners	Property PCN:	4-B26-0-102-004-3
Hearing Date:	August 26, 2014	Owner:	Juneau Youth Services, Inc.
Hearing Time:	7:00 PM	Size:	10 Acres
Place:	Assembly Chambers	Zoned:	D-1
	Municipal Building	Site Address:	Silver Street
	155 South Seward Street	Accessed Via:	Silver Street
	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 Jonathan Lange at jonathan_lange@ci.juneau.ak.us or at 586-0218.



City of Juneau Planning Commission
155 S Seward Street
Juneau, Alaska 99801
Phone: 586-0218
Fax: 586-0219
Website: www.ci.juneau.ak.us

ATTACHMENT F

Date notice was printed: August 4, 2014



MEMORANDUM

DATE: July 8, 2014

TO: Wetlands Review Board

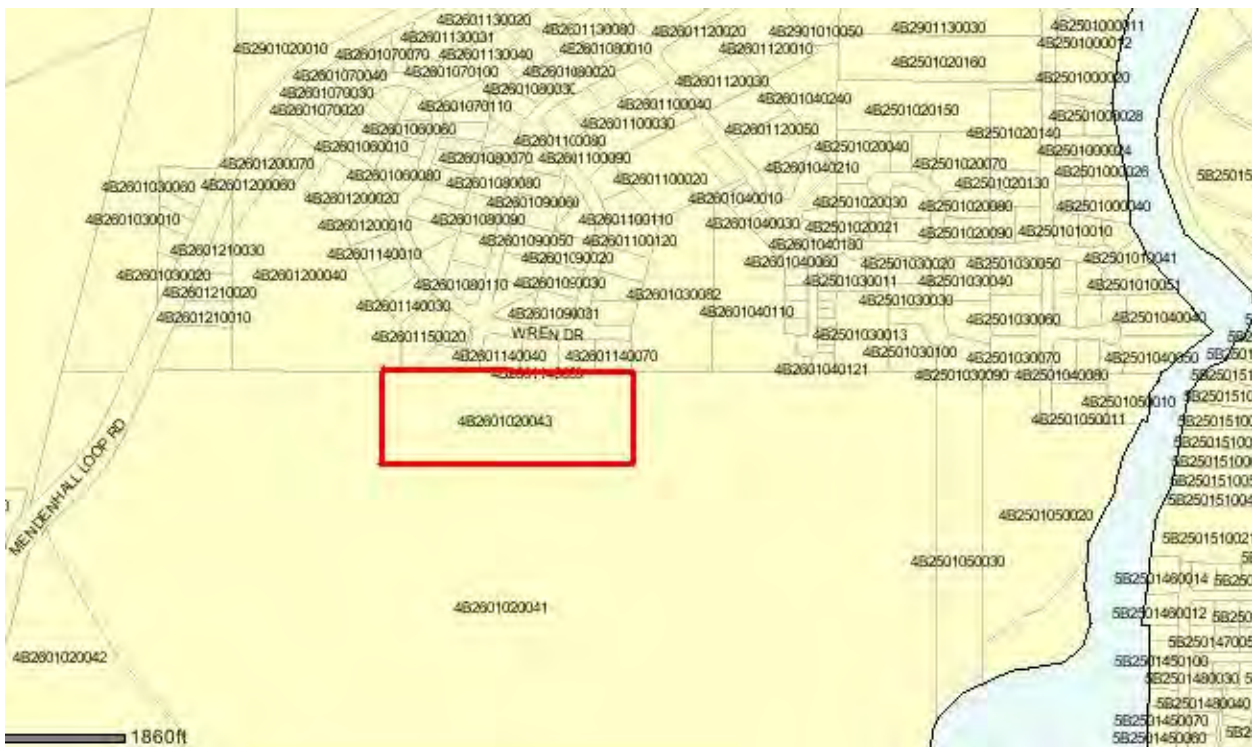
FROM: Jonathan Lange, Planner
Community Development Department

FILE NO.: AME2014 0009

PROPOSAL: An Application to Rezone Lot 3 of Black Bear Subdivision at the south end of Silver Street from D-1 to D-3.

APPLICANT: Juneau Youth Services

ADDRESS: South end of Silver Street



PROJECT DESCRIPTION

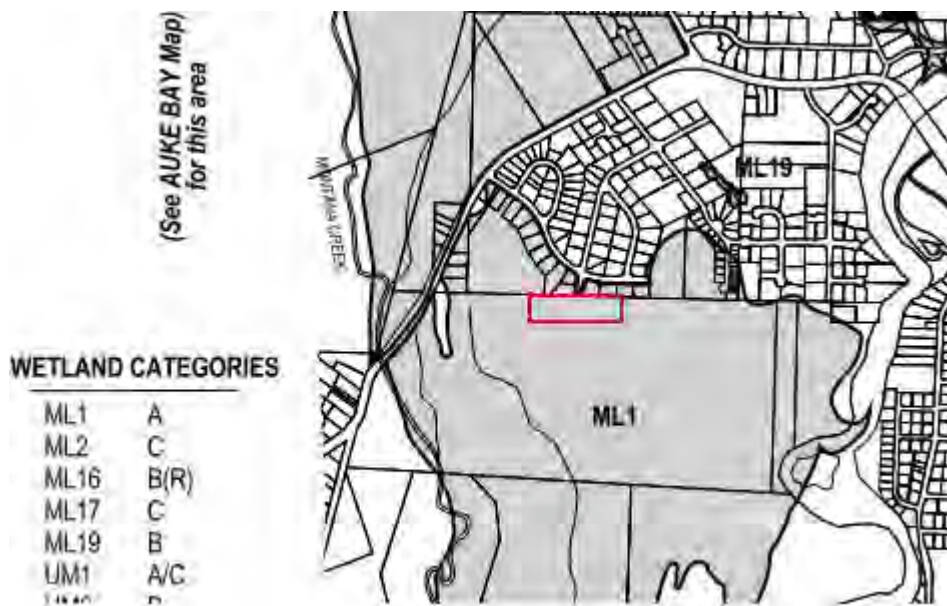
The applicant has applied to rezone their 10 acre Lot 3 of Black Bear Subdivision from D-1 to D-3. The applicant's lot located on the south end of Silver Street is just South of the D-3 zoned McGinnis Subdivision on Wren Street, and south of the Montana Creek area on Mendenhall Loop Road (Back Loop Road).

The subject parcel was created in 2013 by Juneau Youth Services. The original parcel of 159.77 acres was split into three parcels and created Black Bear Subdivision. Black Bear Subdivision consists of one parcel on Mendenhall Loop Road, where Juneau Youth Services is located; one 127 acre Conservation lot; and the subject 10 acre parcel at the south end of Silver Street.

This proposal is to rezone the on parcel; there are no proposals for development of the subject parcel at this time.

HABITAT

The site of the proposed development contains category A wetlands. The applicant has stated that the subject site was subdivided off from the large conservation lot because it contains mostly uplands. The applicant has provided a wetlands delineation from Bosworth Botanical Consulting from 2012 in their application (please see Attachment C).



HEARING:

There will be a neighborhood meeting held for the Rezone proposal at Thunder Mountain High School in the library on July 28th, 2014 from 6:30pm – 8:00pm. The Zone Change application may be scheduled at the August 26, 2014 Planning Commission Regular Meeting.

ATTACHMENT:

Attachment A: Application

Attachment B: Narrative

Attachment C: Wetland Delineation # #

**DRAFT MINUTES
WETLANDS REVIEW BOARD
REGULAR MEETING**

July 17, 2014, 5:15 p.m. Marine View 4th floor conference room

Meeting Summary

Roll Call

Board Members Present: Hal Geiger, Amy Sumner, Andrew Campbell, Brenda Wright, Lisa Hoferkamp, Dan Miller, Nina Horne

Board Members Absent: Gordon Jackson, Jerry Medina

A quorum was present.

Staff Members Present: Teri Camery, CBJ Senior Planner; Sarah Bronstein, CBJ Planner; Jonathan Lange, CBJ Planner; Travis Goddard, Planning Manager

Public Present: Jane Gendron, ADOTPF Southeast Regional Supervisor; Peter Freer, Juneau Youth Services Board Member; Ron King, Juneau Youth Services Board Member; Walter Majores, Juneau Youth Services Executive Director

Meeting called to order at 5:20 p.m.

II. June 19, 2014 Regular Meeting minutes approved after an edit noting that Nina Horne was present.

III. Agenda was approved

IV. Public Participation on Non-Agenda Items

None

V. Board Comments.

Ms. Wright confirmed that the DOT species used for revegetation from ditch cleaning are non-native but not invasive. Ms. Sumner said she is working with the supplier to replace the mix with a more suitable species.

Mr. Miller stated that he had conferred with the CBJ Attorney regarding a potential conflict on the Board's review of the re-zone application, and Ms. Mead did not believe he had a conflict. He stated that he had no financial interest in the project. Mr. Campbell agreed.

Ms. Sumner stated that as a DOT employee, she would not participate in the Board's review of the DOT multi-use path.

VI. Agenda Items

- 1) AME2014 0009 An application to Rezone Lot 3 of Black Bear Subdivision at the south end of Silver Street from D-1 to D-3.**

Staff Presentation

Ms. Camery thanked the Board for their review of an exceptionally large review packet this month.

Ms. Camery explained that the Board is reviewing this project in its advisory role because the property contains high-value Category A wetlands as categorized in the current Juneau Wetlands Management Plan. Board comments and draft minutes will be included in Mr. Lange's staff report to the Planning Commission. The proposal is to increase the residential density from D-1 to D-3 on a 10 acre parcel that contains approximately 1 acre of Category A wetlands in the ML-1 Category A wetland unit. The rest of the original Juneau Youth Services (JYS) property, approximately 130 acres of Category A wetlands, has been protected with a conservation easement under the management of the Southeast Alaska Land Trust, and given to the city. Juneau Youth Services has retained a 10 acre parcel for its own use.

Mr. Lange explained that the 10-acre lot was created in 2013 with three lots, including the 130 acre conservation lot. The board packet has a wetland delineation for 156 acres. The delineation received just today is more specific, with a delineation of 5.5 acres as part of the 10 acre parcel retained by JYS. Ms. Camery referred to the summary at the end of the Bosworth delineation and noted that the parcel reviewed includes approximately 1 acre of Category A wetlands.

Mr. Lange said that the applicant does not have a specific proposal but envisions future residential development. A subdivision proposal would have to come back to the Planning Commission for additional review.

Mr. Miller asked whether the applicant could get density for the full area with wetlands through the Planned Unit Development (PUD) subdivision process. Mr. Lange said yes, the applicant could conserve one area in exchange for higher density in another.

Ms. Camery noted that any proposed wetland fill in the future would need to go through the avoid, minimize, mitigate review process with CBJ and the Corps of Engineers, and development would need to be focused on upland areas.

Applicant Presentation and Board Discussion

Mr. Freer provided an overview of the parcels and the conservation area. He said that the 10 acres that have been retained for JYS development purposes are primarily upland with

approximately one acre of wetlands. He said the proposed D-3 zoning is complimentary and consistent with the zoning of adjacent neighborhoods.

Ms. Hoferkamp asked about the need for the change. Mr. Freer stated that JYS intends to sell the property to provide funding for JYS services. The existing JYS campus is complete and no new facilities are needed.

Mr. Miller asked if JYS had considered D-5 zoning instead. Mr. Freer stated that they didn't want to overshoot and wanted to be consistent with surrounding neighborhoods.

Ms. Hoferkamp questioned the impact of D-3 versus D-1. Mr. Freer stated that the parcel was never intended to be a buffer between the adjacent D-3 area and the preserved wetlands. He said that the impact could not be known without a specific proposal, which is not being considered at this stage.

Mr. Campbell asked about the distance to Montana Creek. Mr. King said it was several hundred yards. He said that JYS has tried to be a good steward and noted that they could have developed the whole parcel instead of donating 130 acres for conservation purposes. Mr. Freer said that in this sense, the mitigation has been done before the re-zone development. He said this provides protection for Montana Creek for hundreds of feet, and noted that it was the last unprotected parcel from the mouth of Montana Creek back. Ms. Camery noted that the JYS property was coveted as a mitigation bank site for the city way back in the 90s and it was a success to obtain city ownership.

Mr. Campbell noted that it's a 10 acre site, but the delineation is for 5 acres. He asked if there are wetlands in the remaining five acres not listed. Mr. Freer said not to his knowledge.

Ms. Hoferkamp said the earlier wetland delineation seemed inconclusive.

The Board recognized that the 10/24/2012 wetland delineation in the packet had delineated "track 20141014" at the northern portion of the delineation as an upland area, and that this area was where the proposed rezone is located.

Ms. Camery confirmed that the whole area is Class A wetland in the ML-1 wetland unit in the Juneau Wetlands Management Plan.

Mr. Geiger questioned what the Board could do with this review, since the Board wants to preserve the functions of the wetland but there's obviously a need for JYS to develop it. Ms. Camery emphasized the Board's role as a scientific advisory board and therefore to not evaluate related social or political issues, and emphasized that future wetland fill proposals would come back for additional review.

Mr. Campbell said that the Board could evaluate whether the scientific information has been gathered and if the Board agrees that the job has been done. He noted that the parcel has been selected out of a much larger conservation area.

Mr. Goddard asked if there is a comfort level with the information that makes the Board confident that the parcel can be developed at a higher density.

Ms. Camery suggested that the Board could offer broad comments about how the parcel could be developed in a way that would protect wetland functions, such as additional stormwater requirements, etc.

Mr. Miller said that the development may not need a Corps permit anyway if it's on uplands, and there isn't a proposal for development at this time. He said that it will need to be responsibly developed regardless of zoning. Mr. Campbell said that increased density will inherently have more impact on the environment; however the applicant has done everything possible to minimize the impact by preserving a large conservation area.

Mr. Miller requested verification that the additional 4.5 acres of the parcel is uplands. Ms. Wright said that the page six of the original packet confirms that the rest is upland.

Public Testimony

No one from the public was present

Board Motion

The Wetlands Review Board appreciates that the parcel includes very little Class A wetland. If the area is developed at a density higher than D-3, an additional wetland evaluation will need to be done. The Board notes that the delineation was done thoroughly and professionally. The Board would also like to applaud the applicant for the significant conservation easement on the remainder of the former parcel.

Yay: Wright, Miller, Campbell, Horne, Geiger

Nay: Hoferkamp

Abstained: Sumner

Motion passed 5:1.

2) CSP2014 00014 City-State Project Review for DOT Auke Lake Multi-Use Path

Staff Presentation

Ms. Camery explained that the Board is reviewing this project in its advisory role. Because Ms. Bronstein's staff report is already final, Board comments will be presented to the Planning Commission in the "blue folder" packet that they receive before the meeting. She noted that the proposed project is exempt from the 50-foot setback because it is a public structure crossing the lake, as allowed under CBJ Code 49.70.950(f), and she read the exception clause to the Board. She said the Board will be reviewing the proposal for conformance with the CBJ Habitat Standard regarding lakes and streams, CBJ Code 49.70.950(c)(7), which states:

"Rivers, streams, and lakes shall be managed so as to protect natural vegetation, water quality, important fish or wildlife habitat and natural waterflow."

Comments on Rezone application of Lot 3 of Black Bear Subdivision (PCN 4-B26-0-102-004-3)

This request does not appear to be following the rules that are applied to the general public from my observations.

- The application documents are not available on-line when conducting a search of the CBJ website using key word "AME2014 0009". How can I as a member of the neighborhood review the impacts of this request if the application information is not available for my review?
- I attended the neighborhood meeting and the information provided at that meeting was not detailed in any fashion. There was no narrative of the plan for development. There was no map of the proposed development at a D3 level.
- There was no information on how they would address the increased traffic impacts to the neighborhood. Why was a traffic study not required for this request?
- Where is the site plan that shows all the existing physical features?
- There appears to be a conflict of interest with CBJ Land Surveyor. He is on the Board for JYS. He should be recusing himself from this particular application from at least one of his positions either the Board or the Land Surveyor. But instead it appears that he is going to try and get this pushed right through without due process.
- Where is an updated review from the Army Corps of Engineers? I was incredulous at the neighborhood meeting at the fact that the parcel in question is now magically not a wetland.
- It is very disturbing as a neighbor when a public entity which is what I consider the JYS, just says 'trust us' and their proposal appears like it will go right through without any information in it on what they are going to do with the property.
- It is entirely possible that I could have no problem with their development if I could actually know what the development was going to be. As it stands, I have a significant problem with rezoning the property with no development plan provided to the neighbors, no traffic impact study.
- Who is going to be responsible for developing the extension of Silver Street?
- How is it possible to approve this request when there is currently no utilities brought to the edge of the property line? Or should that have been done during the previous replatting process that was whisked through by the CBJ Land Surveyor who is also a JYS Board member.?
-

Maureen Hansen
4915 Wren Drive

Jonathan Lange

From: [REDACTED] [REDACTED] [REDACTED]
Sent: Tuesday, April 1, 2014, 1:04 PM
To: [REDACTED]
Subject: [REDACTED] NAME [REDACTED] [REDACTED] [REDACTED] [REDACTED]

Good Afternoon Jonathan,

I'm writing to advise that I am NOT in favor of changing the zone from D-1 to D-3 for the Property PCN: 4-B26-0-102-004-3 Juneau Youth Service, Inc.

I'm currently a homeowner/resident at 4962 Wren Drive, Juneau, Alaska 99801.

If you have any questions or need any further information, please don't hesitate to contact me. Thank you.

Respectfully Yours,

Stacy J. Grummett

August 10, 2014

This letter is regarding the Rezone of Lot 3 Black Bear Subdivision from D-1 to D-3.

I am not opposed to development of a new subdivision in our area. However, there are many issues with this subdivision and rezoning proposal that I do oppose and mainly how this whole process has played out. There appears to be key people who are involved with multiple organizations, all of which have benefited due to where they work, what boards they are on and who they know. Rules that are set for the general public are not being followed as well as are being changed or ignored to benefit themselves. There are some serious ethical issues that need to be examined.

Years ago my family approached the City about subdividing two of our lots on Wren Drive. We were told by the City that in order to cut out 2 lots we were required to have curb, gutter, utilities, street lights, and sidewalks to the property OR post a bond to assure that it gets done. The frontage was questioned. The road had to be extended and a certain width and a complete plan had to be submitted of our entire property revealing what our intentions were with the remaining property that wasn't even part of this equation.

What I am seeing with this new Black Bear Subdivision is that JYS is not required to do any of these things that were imposed on us. There are no utilities, curb, gutter, sidewalks and street lights to that property that has somehow ALREADY been subdivided. No bond was posted. The size of the public access road does not appear wide enough. There is a utility pump station taking up a large portion of that access road and there is not enough frontage, like they told us we had to have. When asked at the neighborhood meeting what their intentions are with the property they threw out a couple scenarios, assured us it would not be a group housing type situation of any kind, but ultimately maintained that they do NOT have to reveal what they will be doing with the property. Every step that I can see so far is exactly the opposite of what we were told by the City. Because of all of the rules and regulations that were imposed on us we were unable to subdivide those two lots and use those funds to build our house. It created a financial hardship for us.

Before any houses were built on Wren, the lots that backed up to the trail had issues with it being wetlands. The people purchasing the properties all had to get permits from the Army Corp of Engineers and had to pay fees imposed on them to fill the wetlands in order to build their houses. Some of those fees were pretty substantial. The new Black Bear property along with the rest of the meadow had been deemed wetlands before their new study was done. When this was addressed at the meeting we were told that the same property that was documented in the past as wetlands has somehow filled itself in and is now deemed uplands. When asked how this was possible we were told that those 10 acres, and only those 10 acres, had changed since the last studies were done. The new study was completed by a private company and was paid for by JYS. Again, there appear to be no checks and balances in this process, and everywhere you turn we have conflicts of interest.

The neighborhood would like to request that an outside party come in and redo the wetlands study to assure that it is done unbiased if the City allows them to move forward. I can assure you that all of the components that make up the wetland are all still on the property in question. Nothing has changed. It

is not an act of God or great coincidence that the 10 acres that they are now declaring uplands is the also the 10 acres that they want to build on and conveniently backs up to their only access road available. These are my main concerns that this is being done very underhandedly. There is no better way to say is then "what's good for the goose isn't good for the gander".

Other concerns are the traffic that a D3 subdivision will generate. Wren Drive, Silver and Steelhead are all the access points and they all 3 are a mess. There are no sidewalks and streetlights and traffic will anticipate doubling.

The member of JYS assured us that D3 is as much as they want to ask for in order to "match the neighborhood." What they do not understand is that Wren Drive was declared D3 after the houses were built. All the residents have a substantial amount of land surrounding their residence. This is why people seek out property in this area is for the land and privacy. Adding a subdivision of 3 houses per acre will not match the neighborhood. There currently are not 3 houses per acre lot here on Wren Drive. At the very least I would like the Black Bear Subdivision to remain D1 and not be rezoned to D3. People are concerned that changing the zoning to D3 is a stepping stone to eventually get it changed to D5. I also would like the whole process examined as well as some checks and balances put into action.

Sincerely,

Kristi Elliott

Jonathan Lange

From: Jonathan Lange [mailto:jon@jlonge.com]
Sent: 10/10/2014 10:00 AM
To: Planning Commission
Subject: Re: D1 to D3 rezoning request
Importance: High

Could you please confirm receipt of this email?

Dear Planning Commission,

In response to Juneau Youth Services recent application to rezone the land at the end of Silver Street from D1 to D3, our family would like to voice opposition to the request.

Currently the adjacent properties to JYS' are zoned D3, however this is not the case for how the land was built. The properties adjacent JYS land were built to D1 standards and are around ½ acre in size, with some having mother in-law style apartments for additional income. A rezone to D3 could potentially put the surrounding homes in a decline in value if adjacent building lots are allowed to be built with the 6 homes per acre as allowed by code. None of the existing utility infrastructure will support such a development or match how any of the immediate neighborhood is built if JYS is allowed to build to maximum D3 zoning.

Adding 60 cars to travel down Wren drive will pose a serious safety hazard since there are no sidewalks and there are several bus stops along Wren to pick up elementary students in the morning and afternoons, not to mention a daycare as well. Sidewalks are likely not ever going to happen since the ditches along the side of the roadway are sometimes 2' deep with standing water.

In order to maximize JYS' income the land will likely need to be developed with higher density zoning than D3 to cover the expense of putting in a subdivision. This approach would not match the existing character of the neighborhood. This would also alter the scenic view shed of the area, one of our reasons for purchasing the home where we did.

Ron King with JYS did not want to say what their future plans were, and that is within their right, but when he said they want to be good neighbors and stewards of the land, it only seems sensible to allow transparency of what will come if allowed a rezone. It would be in the best interest of the homeowners that will be impacted by the development to have understanding as to what to expect, but when you're told nothing it could mean that the long term plan might be undesirable. If when purchasing our home, we were told that someday we might be looking into the back of a four-plex we'd have likely considered elsewhere. Areas like where our home is situated on are not common within CBJ.

Also questionable is how all of the surrounding land around the acre subdivision is wetlands and the 10 acre parcel smack dab in the middle is not. A second or maybe third opinion outside of Southeast Alaska should review the findings of the recent environmental study done. It would also be nice to know if the CBJ's own wetland review board has had a chance to review the study that declared this uplands. Nothing in their meeting minutes on the CBJ's website shows this has been a topic with the WRB.

Per Chapter 11 in the Comprehensive Land Use Maps, the Planning Commission and Assembly should aim to promote the highest and best use of the land possible. An admirable approach to the development of the 10 acres would be to allow the recently declared uplands remain in its natural habitat form as much as possible, remain D1 zoning, and support other structures through variance requests.

I ask that you carefully consider what has been said above when making your decision.

Thank you for your considerations,

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