



**DATE:** October 11, 2024  
**TO:** Mandy Cole, Chair, Planning Commission  
**BY:** Ilsa Lund, Planner I *Ilsa Lund*  
**THROUGH:** Jill Lawhorne, Director, AICP

**PROPOSAL:** Applicant requests a rezone for 39 acres south of Grant Creek on Douglas from D3 to D18.

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

**KEY CONSIDERATIONS FOR REVIEW:**

- This CBJ owned land is currently undeveloped.
- A portion of this lot was subject to a land swap and disposal (PAD2022 0002) that received recommendations of support to the Assembly from the Lands, Housing and Economic Development Committee and the Planning Commission in 2022. The full Assembly has not yet reviewed the land swap.
- For the Applicant, the completion of the land transfer is contingent on the property being rezoned so it is the same the zoning as the adjacent land owned by the purchaser.

**ALTERNATIVE ACTIONS:**

1. **Amend:** recommend an amended rezone boundary; recommend an alternative zoning district; or recommend conditions.
2. **Deny:** recommend denial of the requested rezone. Planning Commission must make its own findings.
3. **Continue:** continue the hearing to a later date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

**ASSEMBLY ACTION REQUIRED:**

Assembly action is required for this rezone.

**STANDARD OF REVIEW:**

- Quasi-legislative decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
  - CBJ 49.75.120
  - CBJ 49.10.170(d)
  - CBJ 49.80

GENERAL INFORMATION	
Property Owner	City & Borough of Juneau
Applicant	City & Borough of Juneau
Property Address	North Douglas Highway
Legal Description	USS 4605 FR
Parcel Number	6D0611000010
Zoning	D3
Land Use Designation	Medium Density Residential
Lot Size	28,519,168 sq. ft. / 654.71 acres
Water/Sewer	City / City
Access	To be determined
Existing Land Use	Undeveloped
Associated Applications	PAD2022 0002

**The Commission shall hear and decide the case per CBJ 49.75.120 - Restrictions on rezoning.** *Rezoning requests covering less than two acres shall not be considered unless the rezoning constitutes an expansion of an existing zone. 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.*

**SITE FEATURES AND ZONING**



SURROUNDING ZONING AND LAND USES	
North (D3)	Grant Creek Stream Protection Corridor
South (D18)	Vacant (owned by CCTHITA)
East (D18)	Vacant (owned by THRHA and Grant Creek Homes LLC)
West (RR)	Undeveloped (owned by BLM)

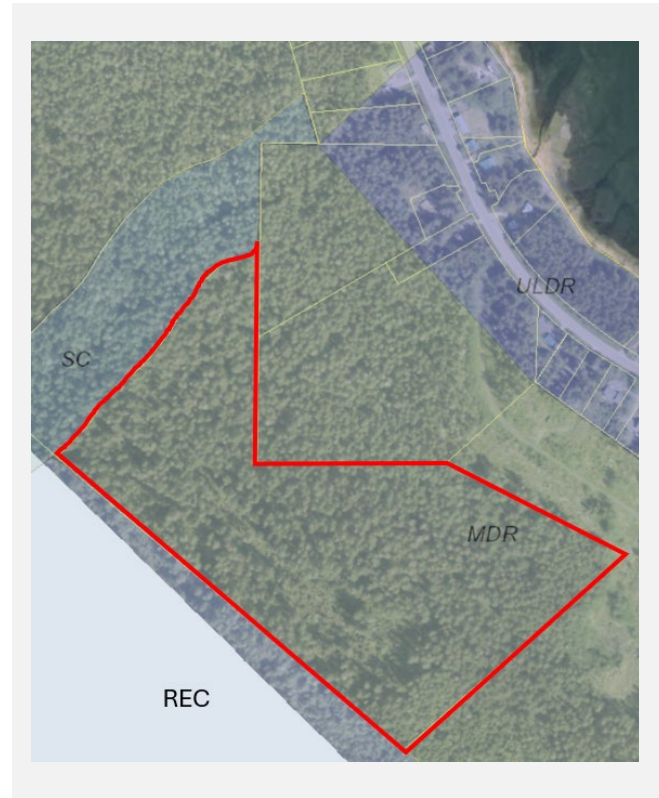
SITE FEATURES	
Anadromous	None
Flood Zone	None, 02110C1562E
Hazard	None mapped
Hillside	Yes, ~22-34% slopes
Wetlands	None
Parking District	No
Historic District	No
Overlay Districts	Mining & Exploration Surface Activities Exclusion District, Urban/Rural Mining District Map, Recreational Vehicle Park Area



**CURRENT ZONING MAP**



**LAND USE DESIGNATION MAP**



**BACKGROUND INFORMATION**

**Rezone Description** – This rezone is one of seven coming before the Commission, selected by CBJ lands for upzoning after a review of Juneau’s land portfolio, the Land Management Plan, topography, access, road frontage, utilities, and wetlands. The applicant (CBJ Lands and Resources Division) requests to rezone 39 acres of a 654.71 acre parcel of CBJ owned land from D3 to D18 (Attachment A). The lot is adjacent to a D18 zoning district.

**Background** – The 39 acre area was originally platted in October 1962 as a part of U.S. Survey No. 4605 (Attachment B). In January of 1963, the federal government transferred the land to the State of Alaska through Patent (Attachment C). The land was then transferred by State Patent to the City and Borough of Juneau (CBJ) in April of 1982 (Attachment D). In 1985, the CBJ adopted an ordinance establishing a municipal open space and park system that included a greenbelt of 100 feet on either side of Grant Creek (Attachment E).

In 2022, a fraction of these 39 acres was the subject of a property disposal and land trade (PAD2022 0002)(Attachment F). The property owner of the adjacent land to the northeast (downslope) requested to purchase 140,394 square feet (sq. ft.) of land upslope from their property and to sell CBJ 105,347 sq. ft. of their property. The land to be acquired by CBJ would become part of the Grant Creek Stream Protection Corridor. The land currently owned by the interested purchaser is zoned D18. That property owner does not want to continue negotiating terms of the land swap if the area is not rezoned to match their current zoning district.



**Permit and Parcel History** - The below table summarizes relevant history for the lot and proposed development.

Item	Summary
Land use cases	PAD2022 0002- Land trade with adjacent property owner.

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

Year	Zoning	Summary
1969	R12	<p>The purpose is to provide and preserve land for families who desire to live in low density areas and where smaller lots would tend to be detrimental to the area.</p> <p>Lot size: 12,000 square feet            Lot width at front building line: 110 feet            Lot depth*: 100 feet            Lot coverage: 25%            Building Height: 35 feet            Front yard setback: 25 feet            Rear yard setback: 25 feet            Side yard setback: 10 feet</p>

Year	Zoning	Summary
		One off-street parking space per dwelling unit
1987	D3	<p>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.</p> <p>Lot size: 12,000 square feet            Lot width at front building line: 100 feet            Lot depth*: 100 feet            Lot coverage: 35%            Building Height: 35 feet            Front yard setback: 25 feet            Rear yard setback: 25 feet            Side yard setback: 10 feet            Two off-street parking spaces per dwelling unit</p>
2021	*All zoning districts – lot depth repealed	On August 23, 2021, the CBJ Assembly adopted Ordinance 2021-28, repealing lot depth as a minimum dimensional standard. Other dimensional standards for D3 remain the same.

**ZONING ANALYSIS**

The 2013 Comprehensive Plan designates this land for Medium Density Residential (MDR).

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).

Rezoning is appropriate since housing development is prioritized as a land use desire by the Assembly. D3 is two units less dense than that proposed in the Comprehensive Plan and D18 does not exceed the maximum density as indicated in the plan.

**CBJ 29.25.200 Zoning Districts Defined -**

Current Zoning – D3	Proposed Zoning – D18
<i>CBJ 49.25.210(b) The D-3, residential district, is intended to accommodate primarily single-family and duplex residential development at a density of three dwelling units per acre. D-3 zoned lands are primarily located outside the urban service boundary where public utilities are not provided. The density reflects the existing pattern of development of properties in the district. There is a limited amount of D-3 zoned lands located within the urban service boundary. These are lands for which a lower density is deemed appropriate or, in the case of transition zones,</i>	<i>CBJ 49.25.210(f) The D-18, residential district, is intended to accommodate primarily multifamily development at a density of 18 dwelling units per acre. This is a high density multifamily zoning district intended to accommodate midrise-type development.</i>

<i>where the zoning will be changed to a higher density when sewer and water are provided.</i>	
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**CBJ 49.25.300 Table of Permissible Uses Comparison** – An analysis of the differences between the existing and proposed zoning districts is in Attachment G.

**CBJ 49.25.400 Dimensional Standards** – There are no structures in the proposed rezone area.

Zoning Regulations	D-3	D18
Minimum Lot Size		
Permissible Uses	12,000	5,000
Bungalow	6,000	2,500
Duplex	18,000	
Common Wall Dwelling		2,500
Single-family detached, two dwellings per lot	24,000	
Minimum lot width	100'	50'
Bungalow	50'	25'
Common Wall Dwelling		20'
Maximum lot coverage		
Permissible uses	35%	50%
Conditional uses	35%	50%
Maximum height permissible uses	35'	35'
Accessory	25'	25'
Bungalow	25'	25'
Minimum front yard setback	25'	20'
Minimum street side yard setback	17'	13'
Minimum rear yard setback	25'	10'
Minimum side yard setback	10'	5'

**CBJ 49.25.500 Density** – No structures have been built in the proposed rezone area. Density is managed differently for single-family density versus multi-family density. For single-family zoning districts (D1, D3, D5) density is managed by limiting the number of units per lot, rather than per acre. For multifamily zoning districts (D10, D15, D18) the number of units is dependent on lot size. For instance, in D10, a one-acre lot could accommodate ten units.

	Current Zoning D3	Current Zoning (D3) Subdivided to minimum lot size	Proposed Zoning (18 DU/Acre)
<b>Maximum Number of Dwelling Units</b>	2	141	702



**Potential for Subdivision** – The table below shows the maximum number of lots subdivision could produce. The lot size is divided by the minimum lot size required for the zoning district. Achieving maximum number of lots is unlikely due to the need for rights-of-way, habitat protection, and slope.

<b>Current Zoning (D3)</b>	141 lots	<b>Proposed Zoning (D18)</b>	<b>339 lots</b>
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**TRAFFIC AND TRANSPORTATION**

<b>Access</b>	<b>Roadway Classification</b>	<b>Current Level of Service</b>
North Douglas Highway	Minor Arterial	Determined after Traffic Impact Analysis is performed, if required.

**Non-motorized transportation** – North Douglas Highway shoulders accommodate bike and pedestrian traffic. The Treadwell Ditch Trail is 0.12 miles upslope, and the closest access point to the trail is three (3) miles away on Pioneer Ave.

**Proximity to Public Transportation** – Capital Transit does not serve North Douglas. The closest transit stop is at the bridge.

**COMMUNITY SERVICES**

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

<b>Service</b>	<b>Summary</b>
Water/Sewer	CBJ lines in North Douglas Highway right-of-way
Fire Service	Downtown Juneau Fire Station (Station 1)
Schools	Downtown Juneau
Recreation	Eaglecrest, Treadwell Ditch Trail

**ENVIRONMENTAL, CONSERVATION, HISTORIC, AND ARCHEOLOGICAL RESOURCES**

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

<b>Resource</b>	<b>Summary</b>
Conservation	Grant Creek Stream Corridor boundary abuts the northwest boundary of the proposed rezone.
Wetlands	Wetlands would require a fill permit from the United States Army Corps of Engineers.
Anadromous	No. While this land is adjacent to Grant Creek, Alaska Department of Fish and Game determined in 2006 that Grant Creek is only anadromous north (downslope) of Douglas Highway (Attachment H).
Historic	Not documented.
Archeological	Not documented.

**CONFORMITY WITH ADOPTED PLANS**

**2013 COMPREHENSIVE PLAN VISION:** *The City and Borough of Juneau is a vibrant State Capital that values the diversity and quality of its natural and built environments, creates a safe and satisfying quality of life for its diverse population, provides quality education and employment for its workers, encourages resident participation in community decisions and provides an environment to foster state-wide leadership.*

**2013 COMPREHENSIVE PLAN** - The proposed text amendment is in compliance with the 2013 Comprehensive Plan.

Chapter	Page No.	Item	Summary
4	33		Zoned appropriately, there is adequate vacant land to provide housing.
	35		10% of CBJ-owned land north of the bridge is developable.
	37	Policy 4.2	The proposed text amendment supports Policy 4.2 by creating flexibility in zoning requirements to allow for various housing types.
8	121	Implementing Action 8.8-IA21	Encourage ADOT&PF to upgrade the North Douglas highway corridor due to increased traffic. Include reduced speed limits, curve advisements, separated bike and pedestrian facilities, pull-offs for buses.
		IA22	Work with ADOT&PF to make improvements that will facilitate affordable housing development.
11	144		Sewer improvements warrant denser development.
	190	Subarea 8	Substantial development of North Douglas should trigger separated bike and pedestrian facilities along the highway, pull-outs for busses, and safe crossing areas.
11		#5	As sewer is provided, increase zoned density.
11		#13	When development is considered, it should not block direct vehicular access to Douglas Highway, nor obstruct access to an eventual bench road, nor obstruct access to Treadwell Ditch Trail.

**2016 HOUSING ACTION PLAN** - The proposed text amendment complies with the 2016 Housing Action Plan

Chapter	Page No.	Item	Summary
	10	Using CBJ Land	Disposing of CBJ land is a tool in righting the housing market.
	11		Adjust zoning, permitting and related land-use process to encourage moderate-density, clustered, mixed-use development.
6	43	Solutions	Use CBJ land to encourage a rational growth pattern, and create affordability.
7	48	Implementation	Evaluate areas for up-zoning.

<b>2016 LAND MANAGEMENT PLAN</b> - The proposed text amendment complies with the 2016 Land Management Plan			
<b>Chapter</b>	<b>Page No.</b>	<b>Item</b>	<b>Summary</b>
Goals and Objectives	7	Goal 1	Continue the land disposal program which systematically places CBJ land into private ownership. Make land available for community expansion. Maximize the CBJ’s return on its property.
		Goal 2	Set aside land for needed transportation, schools, public housing, storage, maintenance yards, and other public facilities & services. Identify and preserve open spaces to protect lands and shorelines which possess recreational, scenic, wildlife, and other critical habitat qualities.
		Goal 3	Conduct CBJ land disposals in a manner that promotes compact urban growth and efficient expansion of municipal utilities and services.
CBJ’s Land Holdings	65	North Douglas LND-1430	Retain/ Dispose
Supply & Demand-Housing	72	Strategic Rezoning	This region contains significant potential for increased housing density.

**AGENCY REVIEW**

CDD conducted an agency review comment period between August 12,2024, and September 23, 2024. Agency review comments can be found in Attachment I.

<b>Agency</b>	<b>Summary</b>
Alaska Department of Transportation	No specific comments at this time.
CBJ General Engineering	No comments received.
CBJ Building Division	No comments received.
CBJ Fire Department	No comments received.

**PUBLIC COMMENTS**

CDD conducted an informational meeting on September 25, 2024 (Attachment J). Public notice was mailed to property owners within 500 feet of the proposed rezone (Attachment K). A recording of the meeting was posted at the Short Term Planning web site: <https://juneau.org/community-development/short-term-projects>

CDD conducted a public comment period between September 3, 2024, and September 26, 2024. Public notice was mailed to property owners within 500 feet of the proposed rezone (Attachment L). A public notice sign was also posted on-site two weeks prior to the scheduled hearing (Attachment M). Public comments submitted at time of writing this staff report can be found in Attachment N.

<b>Name</b>	<b>Summary</b>
Kaysa Korpela	Opposed to the rezone until a second crossing is constructed.
Jason Keedy	Opposed to the rezone.

Name	Summary
Karen Lechner	Concerned about increased traffic on Douglas Highway and access.
Murray Walsh	Local representative of Gary Tigar of Grant Creek Homes, LLC. (PAD2022 0002 Applicant). Request approval of the rezone.

**ZONE CHANGE OPTIONS AND ALTERNATIVES**

As stated in CBJ 49.75.130(a), the Commission may recommend approval, approval with modifications or denial of a rezone request. The Commission may recommend approval to the Assembly for different zoning districts than what is requested by the applicant or recommended by staff. Additionally, the Commission can recommend modifications to the boundaries of the area to be rezoned. This means that if the Commission wishes to do so, the zoning district boundary line may be moved from its current location, as long as it is found to be in substantial conformance with the Comprehensive Plan and Title 49 – Land Use Code. Zoning district boundary lines are intended to follow property lines, centerlines of streets, alleys, streams (CBJ 49.25.110(f)).

**Staffs analysis does not include a zoning district as an alternative to the applicant’s request.**

**FINDINGS**

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

**1. Was the rezone application filed timely in accordance with CBJ 49.75.110?**

**Analysis:** No additional analysis required.

**Finding:** **Yes.** The rezone application was filed in July.

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

**Analysis:** CDD staff held a public meeting on September 25, 2024, mailed written notice to property owners within 500 feet of the proposed rezone; and a public notice sign was posted on the site two weeks prior to the scheduled hearing.

**Finding:** **Yes.** Adequate public notice was provided in accordance with CBJ 49.75.110.

**3. Is this request for an area covering more than two acres or an expansion of an existing zoning district as required by CBJ 49.75.120?**

**Analysis:** The rezone request is for 39 acres.

**Finding:** **Yes.** The proposed rezone meets the minimum area and is an expansion of an existing zoning district.

**4. Has no similar request been made within the previous 12 months as required by CBJ 49.75.120?**

**Analysis:** No additional analysis required.

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



**5. *Is the proposed zoning district and the uses allowed therein found to be in substantial conformance with the land use maps of the comprehensive plan and policies of the comprehensive plan, in accordance with CBJ 49.75.120?***

**Analysis:** The Comprehensive Plan recognizes increased density zoning in areas where utilities, particularly wastewater, are provided.

**Finding: Yes.** The proposed rezone is in substantial conformance with the land use maps and policies of the comprehensive plan.

**6. *Is the proposed zoning district and the uses allowed therein found to be in substantial conformance with Title 49 – Land Use Code, in accordance with CBJ 49.75.120?***

**Analysis:** No additional analysis required.

**Finding: Yes.** The proposed rezone is in substantial conformance with Title 49 – Land Use Code.

**RECOMMENDATION**

Staff recommends the Planning Commission adopt the Director's analysis and findings and forward a recommendation of APPROVAL to the Assembly for the requested rezone application of 39 acres south of Grant Creek from D3 to D18.

**STAFF REPORT ATTACHMENTS**

Item	Description
Attachment A	Application Packet
Attachment B	U.S. Survey No. 4605
Attachment C	1963 Federal Patent Transfer to State of Alaska
Attachment D	1982 State Patent Transfer to CBJ
Attachment E	CBJ Ordinance 85-76am
Attachment F	Notice of Recommendation for PAD2022 0002
Attachment G	Table of Permissible Uses Comparison D3 vs D18
Attachment H	Alaska Department of Fish and Game Waterbody Nomination
Attachment I	Agency Comments
Attachment J	Neighborhood Meeting Presentation
Attachment K	Neighborhood Meeting Postcard Notice
Attachment L	Abutters Notice
Attachment M	Public Notice Sign Photo
Attachment N	Public Comments
Attachment O	Map of Rezone Area
Attachment P	Draft Ordinance



# DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant	<b>PROPERTY LOCATION</b>				
	Physical Address <b>Douglas Highway &amp; Grant Creek</b>				
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) <b>USS 4605 FR</b>				
	Parcel Number(s) <b>6D0611000010</b>				
	<input type="checkbox"/> This property is located in the downtown historic district <input type="checkbox"/> This property is located in a mapped hazard area, if so, which _____				
	<b>LANDOWNER/ LESSEE</b>				
	Property Owner <b>CBJ</b>	Contact Person <b>Dan Bleidorn</b>			
	Mailing Address <b>155 Heritage Way</b>	Phone Number(s) <b>9075865252</b>			
	E-mail Address <b>Lands_Office@juneau.gov</b>				
	<b>LANDOWNER/ LESSEE CONSENT</b>				
Required for Planning Permits, not needed on Building/ Engineering Permits.					
Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.					
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 the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.					
<table style="width:100%; border:none;"> <tr> <td style="width:50%; text-align:center;"><b>Dan Bleidorn</b></td> <td style="width:50%; text-align:center;"><b>Land Manager</b></td> </tr> <tr> <td style="text-align:center;">Landowner/Lessee (Printed Name)</td> <td style="text-align:center;">Title (e.g.: Landowner, Lessee)</td> </tr> </table>		<b>Dan Bleidorn</b>	<b>Land Manager</b>	Landowner/Lessee (Printed Name)	Title (e.g.: Landowner, Lessee)
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X _____	_____				
Landowner/Lessee (Signature)	Date				
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.					
<b>APPLICANT</b> <span style="float:right;">If same as LANDOWNER, write "SAME"</span>					
Applicant (Printed Name) <b>Dan Bleidorn</b>	Contact Person <b>Dan Bleidorn</b>				
Mailing Address <b>155 Heritage Way</b>	Phone Number(s) <b>586-5252</b>				
E-mail Address <b>lands_office@juneau.org</b>					
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X <i>Daniel Bleidorn</i>	<b>3/7/24</b>				
Applicant's Signature	Date of Application				

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

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

Intake Initials <b>JPM</b>	
Case Number <b>AME24-002</b>	Date Received <b>7/3/24</b>



# ZONE CHANGE APPLICATION

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

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

To be completed by Applicant	<b>PROJECT SUMMARY</b>	
	Rezone CBJ property at Grant Creek	
	<b>IS THIS AN EXPANSION OF AN EXISTING ZONE?</b> <input checked="" type="radio"/> Yes <input type="radio"/> No	
	Total Land Area of Proposed Change <u>39</u> acres	Comprehensive Plan Land Use Designation <u>MDR</u>
	Current Zone(s) <u>D3</u>	Comprehensive Plan Map Letter <u>L</u>
	New Zone Requested <u>D18</u>	
<b>TYPE OF ZONE CHANGE REQUESTED</b> <input checked="" type="radio"/> Regular <input type="radio"/> Transition		
<b>Has this or a similar zone change been requested in the previous 12 months?</b> <input type="radio"/> Yes Case # _____ <input checked="" type="radio"/> No		
<b>UTILITIES AVAILABLE</b> WATER: <input checked="" type="checkbox"/> Public <input type="checkbox"/> On Site    SEWER: <input checked="" type="checkbox"/> Public <input type="checkbox"/> On Site		
<b>ALL REQUIRED MATERIALS ATTACHED</b>		
<input checked="" type="checkbox"/> Complete application <input checked="" type="checkbox"/> Pre-Application Conference notes <input checked="" type="checkbox"/> Narrative including: <input checked="" type="checkbox"/> Purpose of the requested zone change <input checked="" type="checkbox"/> Any potential impacts to public infrastructure (streets, water, & sewer) <input checked="" type="checkbox"/> How the requested zone change comply with the maps and policies of the Comprehensive Plan <input checked="" type="checkbox"/> Site Plan and/or map of proposed zone change (details on reverse side)		

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

ZONE CHANGE FEES	Fees	Check No.	Receipt	Date
Application Fees	\$ <u>600<sup>00</sup></u>			
Admin. of Guarantee	\$ <u>—</u>			
Adjustment	\$ <u>—</u>			
Pub. Not. Sign Fee	\$ <u>50</u>			
Pub. Not. Sign Deposit	\$ <u>100</u>			
<b>Total Fee</b>	<b>\$ <u>750<sup>00</sup></u></b>			

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

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

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

Case Number	Date Received
AME 24-002	7/3/24

## Zone Change Application Information

Zone changes are outlined in CBJ 49.75 article I

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

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

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

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

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

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

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

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

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

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

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

---

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**



# Applicant Information

## Business / Individual \*

Gary Tigar, Grant Creek Homes

## Address \*

1765 Palo Verde Blvd. S.

Street Address

Lake Havasu City

City

AZ

State / Province / Region

86403

ZIP / Postal Code

## Phone \*

(928) 566-4007

## Email

garytigar@sbcglobal.net

Add Another Business/Individual

## Business / Individual - 2 \*

Murray Walsh, Walsh Planning & Development Services

## Address \*

2974 Foster ave

Street Address

Juneau

City

AK

State / Province / Region

99801

ZIP / Postal Code

Phone \*

(907) 723-8444

Email

murray@acsalaska.net

### CBJ Land Information

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

Site Address \*

4205 North Douglas Highway and the 8 acres parcel to the south



Legal Description \*

USS 2135 TR 1 TRA

Provide Brief Description of Your Proposal \*

To trade a portion of the Applicant's property to the CBJ in exchange for a portion of CBJ-owned land above USS 2135 TR 1 TRA as shown on the attached drawing. The newly configured property will then be subdivided for small single family homes on small lots.

Provide a Map of CBJ Land you wish to Purchase \*

Grant-Crk-Ph-III-7142021-TradeMap.pdf  

Have you mailed the \$500.00 filing fee? \*

- Yes
- Not Yet

Applications can only be processed when the \$500 fee is received. All checks are made out to "The City and Borough of Juneau" and can be sent to:  
The City and Borough of Juneau  
Attn: Lands and Resources Division  
155 S. Seward St.  
Juneau, AK 99001

"By submitting this form, I agree all information is accurate. Submission of this request is NOT approval by the City and Borough of Juneau. I understand that staff will review my application and follow up with questions. Once staff have reviewed my application, ultimate determination of my request to purchase City property will be made by the City Assembly."

Legal Representative of Business / Individual \*

Gary  
First

WTigar  
Last

Legal Representative of Business / Individual -2 \*

Murray  
First

Walsh  
Last

# MEMORANDUM

CITY/BOROUGH OF JUNEAU

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

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

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

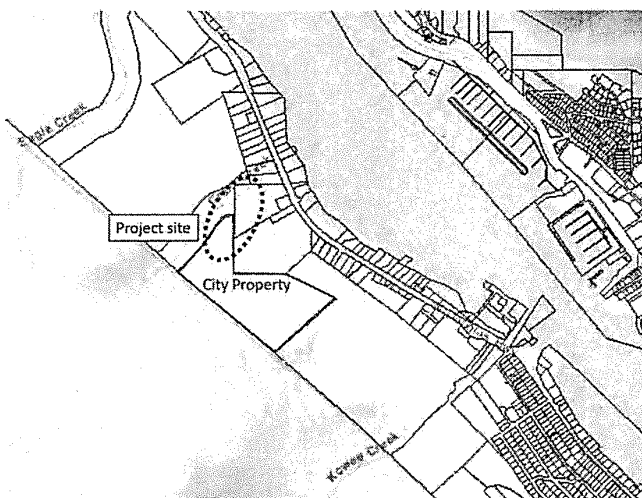
**SUBJECT:** Gary Tigar Grant Creek Homes Request to Purchase City Property through a Land Trade

**DATE:** April 28, 2022

The Lands Office has received a request for a land trade from Gary Tigar and Grant Creek Homes. The applicant is requesting to sell the City a 105,347 square foot area of property that is within the floodplain and buy a City owned 140,394 square foot uplands parcel. Both values would be determined by appraisal. The application states that the newly configured property would be subdivided into small single family lots.

The City owned property being requested in this application is a fraction of a 654-acre parcel in North Douglas. The location is southeast of Bonnie Brae Subdivision and Falls Creek, 4-mile North Douglas Highway, Eagle Creek and Grant Creek run through this property. The

Land Management Plan designates this property as retain/dispose, and it is managed by the Lands Office.



## **53.09.260 - Negotiated sales, leases, and exchanges.**

(a) *Application, initial review, assembly authority to negotiate.* Upon application, approval by the manager, and payment of a \$500.00 fee, a person or business entity may submit a written proposal to lease, purchase, exchange, or otherwise acquire City and Borough land for a specified purpose. The proposal shall be

reviewed by the assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the

assembly by motion, the manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land.

If approved by the LHED Committee, this application will be forwarded to the Assembly as New Business to make a determination under 53.09.260 (a). In order to dispose of this property, the Assembly must adopt an ordinance authorizing the sale after the Planning Commission has had the opportunity to review it.

The Applicant is concurrently working through permitting process for the proposed subdivision. A pre-application meeting has already taken place and Lands, CDD and the Applicant were able to discuss the proposal, ask questions and provide direction on how to proceed. Based on the outcome of the subdivision review and subsequent negotiations the actual square footage and property boundaries of the proposed land trade would likely change if this proceeds.

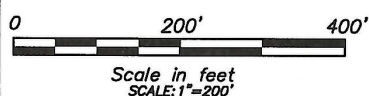
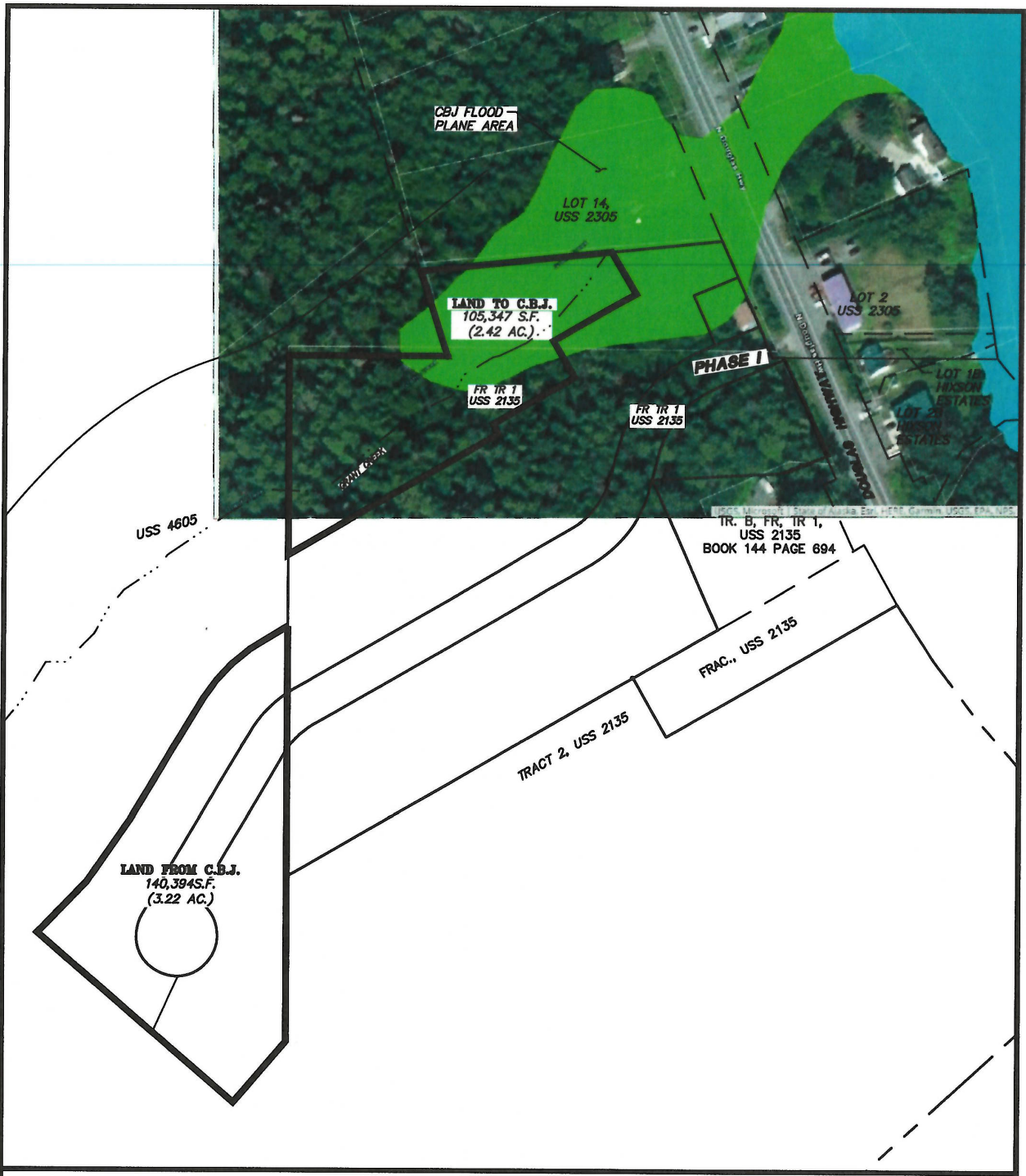
**Staff request that the Lands, Housing and Economic Development Committee forward this application to the Assembly with a motion of support for disposal of City property to Gary Tigar and Grant Creek Homes through a negotiated disposal or land trade.**

Attachments:

1. Gary Tigar Grant Creek Homes Application to Purchase City Property
2. Draft Report from the Subdivision Pre-application Meeting



9/03/2020 1:43:08 PM AST  
E:\GDM\VALSH\GRANT CREEK\GRANT CRK PH-II-7142021.DWG



**A PLAT  
FOR PROPOSED LAND TRADE  
BETWEEN GRANT CREEK HOMES  
AND THE CITY AND BOROUGH OF  
JUNEAU, ALASKA**

DRAWN BY: GDM GRAPHICS DATE: 9/03/2021

PAGE 1 of 1

WALSH PLANNING & DEVELOPMENT



Planning Commission

(907) 586-0715

PC\_Comments@juneau.org

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

155 S. Seward Street • Juneau, AK 99801

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**PLANNING COMMISSION  
NOTICE OF RECOMMENDATION**

Date: September 1, 2022  
File No.: PAD2022 0002

City and Borough of Juneau  
CBJ Assembly Members  
155 S Seward Street  
Juneau, AK 99801

Proposal: Property Acquisition and Disposal review for the acquisition and disposal of land by the CBJ

Property Address: 4305 North Douglas Highway and North Douglas Highway

Legal Description or ROW name: USS 2135 Tract 1 Tract A, USS 2305 Lot 15, USS 4605 Fraction

Parcel Code No.: 6D0601110020, 6D0601130010, 6D0611000010

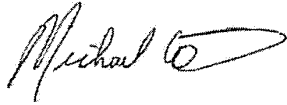
Hearing Date: August 23, 2022

The Planning Commission, at a regular public meeting, adopted the analysis and findings listed in the attached memorandum dated August 11, 2022, and recommended that the Assembly direct CBJ staff to initiate the proposed land swap.

Attachments: August 11, 2022, memorandum from Joseph Meyers, Community Development, to the CBJ Planning Commission regarding PAD2022 0002.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ 01.50.020(b).

City and Borough of Juneau  
CBJ Assembly  
File No.: PAD2022 0002  
September 1, 2022  
Page 2 of 2



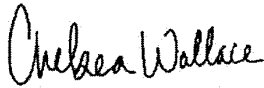
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Michael LeVine, Chair  
Planning Commission

September 6, 2022

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Date



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Filed With Municipal Clerk

September 6, 2022

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Date

cc: Plan Review

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




**PLANNING COMMISSION STAFF REPORT  
PROPERTY ACQUISITION & DISPOSAL PAD2022 0002  
HEARING DATE: AUGUST 23, 2022**

(907) 586-0715

CDD\_Admin@juneau.org

www.juneau.org/community-development

155 S. Seward Street • Juneau, AK 99801

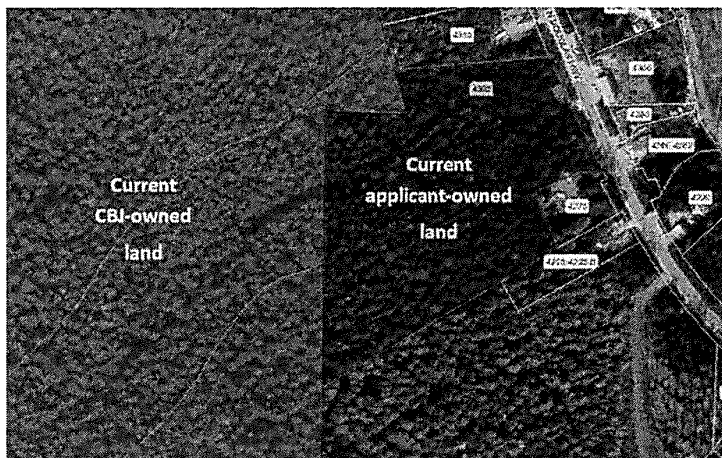
**DATE:** August 11, 2022  
**TO:** Michael LeVine, Chair, Planning Commission  
**BY:** Joseph Meyers, Planner II   
**THROUGH:** Jill Maclean, Director, AICP

**PROPOSAL:** Applicant requests a Property Acquisition and Disposal review for the acquisition and disposal of land by the CBJ.

**STAFF RECOMMENDATION:** Approval

**KEY CONSIDERATIONS FOR REVIEW:**

- Land disposal is in general conformity with the 2013 Comprehensive Plan, the 2016 Housing Action Plan, and the 2016 CBJ Land Management Plan.
- The Land Management Plan designates this city property as retain/dispose.
- The applicant is seeking to purchase 140,394 square feet of CBJ land and would like to sell the CBJ 105,347 square feet of land.
- Creation of buildable lots is in the public interest.
- Currently, there is no requirement that the development qualify for affordable housing as defined by the Department of Housing and Urban Development standards.



**ALTERNATIVE ACTIONS:**

1. **Amend:** Amend the recommendation to include conditions and recommend approval to the Assembly.
2. **Deny:** Recommend denial of the proposed project. Planning Commission must make its own findings.
3. **Continue:** Continue the hearing to a later date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

**ASSEMBLY ACTION REQUIRED:**

A Notice of Recommendation will be forwarded to the Assembly for further action.

**STANDARD OF REVIEW:**

- Quasi-legislative decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
  - CBJ 53.09.260

*Fostering excellence in development for this generation and the next.*

GENERAL INFORMATION	
Property Owner	Grant Creek Homes / City & Borough of Juneau
Applicant	Murray Walsh, WPDS/ City & Borough of Juneau
Property Address	4305 North Douglas Highway & North Douglas Highway
Legal Description	USS 2135 Tract 1 Tract A, USS 2305 Lot 15, USS 4605 FR
Parcel Number	6D0601110020, 6D0601130010, and 6D0611000010
Zoning	D18 and D3
Land Use Designation	Medium Density Residential (MDR) & Urban Low-Density Residential (ULDR)
Lot Size	Approximately 699,524 square feet (16.06 acres)
Water/Sewer	CBJ
Access	North Douglas Highway
Existing Land Use	One single-family structure
Associated Applications	N/A

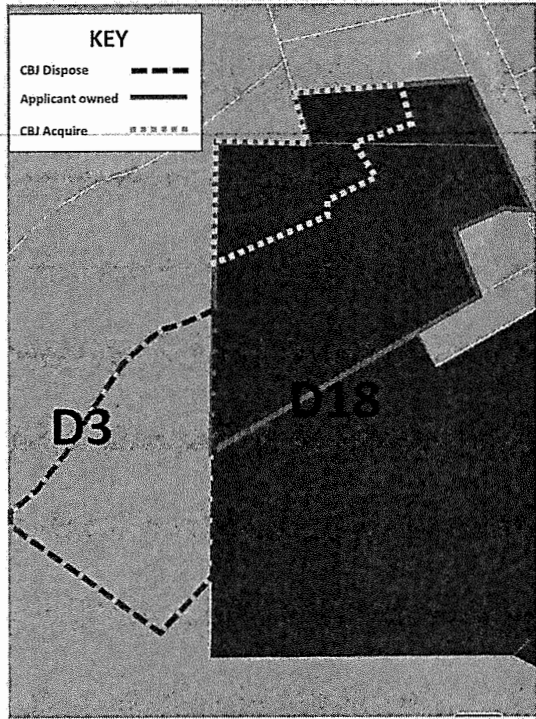
*The Commission shall hear and decide the case per CBJ 53.09.260 – Negotiated sales, leases, and exchanges:*

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

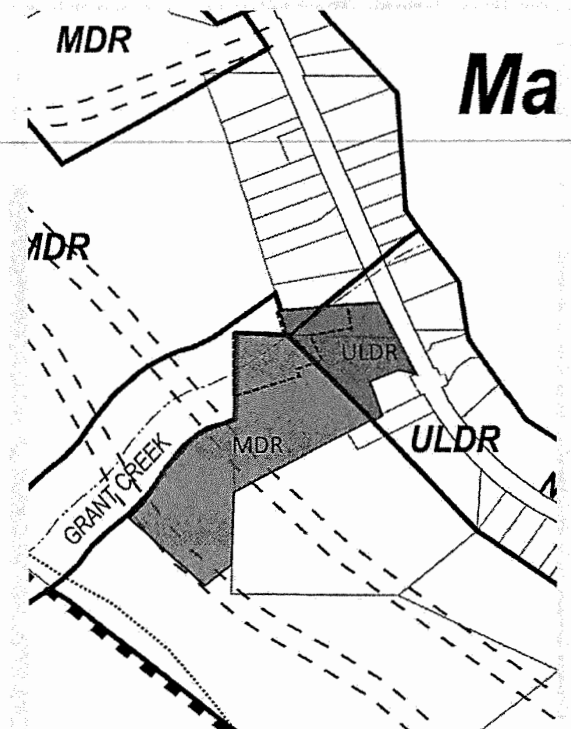
*(b) Review and approval process. Upon satisfactory progress in the negotiation or competition undertaken pursuant to subsection (a) of this section, after review by the planning commission for disposals other than leases, after review by the assembly lands committee, and authorization by the assembly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

**CBJ 49.10.170(c) Planning Commission Duties:** *The commission shall review and make recommendations to the assembly on land acquisitions and disposals as prescribed by CBJ Title 53, or capital improvement project by any City and Borough agency. The report and recommendation of the commission shall be based upon the provisions of this title, the comprehensive plan, and the capital improvements program.*

**CURRENT ZONING MAP**



**LAND USE DESIGNATION MAP**



**SURROUNDING LAND USES AND ZONING**

Direction	Zoning District	Land Use
North	D3 – Residential	Single-family structure
South	D18 & D3 – Residential	Vacant
East	Right-of-Way	North Douglas Highway
West	D3 – Residential	Vacant



**BACKGROUND INFORMATION**

**Project Description** – The applicant is seeking to sell 105,347 square feet of land to the CBJ ① and purchase 140,394 square feet of land from the CBJ ②. This land swap is being proposed as a means of creating additional buildable lots within the CBJ, in conformity with the 2013 CBJ Comprehensive Plan. In addition, the land being conveyed to CBJ would be included in the existing designated stream buffer to extend protection of Grant Creek, an anadromous waterbody. This effort is also in conformity with the 2013 Comprehensive Plan.



**Background** – The table below summarizes relevant history for the subject parcel and proposed development.

Item	Summary
Rezone ORD2010-14am	Rezoned three lots on North Douglas Highway from D3 to D18 in 2010.

**Existing Conditions** – In order to more efficiently describe the project, each section is labelled with a number corresponding to the action that will be taken by this land swap. These parts are not discrete units following property lines, and include portions of three separate lots. In addition, the maps contained within this report are approximate and meant solely for illustrative purposes.



The lot is currently vacant and forested with 12% slopes according to the provided preliminary site plan. A single-family dwelling exists on the northeast portion of the lot at 4305 North Douglas Highway.

***CBJ 53.09.200(b) – Purpose and intent. The purpose and intent of CBJ Title 53.09.200(b) is:***

- 1. Inclusion in Land Management Plan. Except for property acquired by tax foreclosure or reconveyance agreement, real property should not be conveyed prior to inclusion in a land management plan.*

The Land Management Plan designates this city property for disposal as retain/dispose.

**ZONING ANALYSIS FOR INFORMATIONAL PURPOSE**

**Zoning Generally** – The proposed area for disposal and acquisition encompasses 245,741 square feet of land and spans two zoning districts – D3 and D18 Residential. Density on the lot will need to meet the standards of each respective zoning district, including using the stricter standard when lots within two different zoning districts abut one another. To maximize the density of the lot, a rezone may be sought.

**Table of Permissible Uses** – The proposed use of the land is for single-family residential lots. This use is appropriate for the D3 zoning district and is also a permissible use in the D18 zoning district. The CBJ encourages maximizing density where possible, particularly in areas zoned for multi-family developments within the urban service area.

**Table of Dimensional Standards** – Depending on the density that the applicant is seeking, a rezone may be necessary to fully take advantage of these lots, as there are currently two zoning districts regulating the lot, D3 and D18.

Zoning District	Minimum lot size	Bungalow Lots	Duplex	Commonwall
D3	12,000 square feet	6,000 square feet	18,000 square feet	N/A
D18	5,000 square feet	2,500 square feet	N/A	2,500 square feet

**Other Required Permits** – A major subdivision permit will be required for future subdivision of the site.

**Roadway Classification Maps** – The lots are adjacent to North Douglas Highway which is classified as a minor arterial.

**Hazard Areas** – A portion of USS 2135 Tract 1 Tract A and USS 2305 Lot 15 are within the Zone A flood zone.

**COMMUNITY SERVICES**

Service	Summary
Urban Service Boundary	Within the urban service area
Water/Sewer	CBJ
Fire Service Area	Within the fire service area
Schools	Juneau School District

**ENVIRONMENTAL, CONSERVATION, HISTORIC, AND ARCHEOLOGICAL RESOURCES**

The table below summarizes Conservation, Historic, and Archeological Resources which may be affected by the acquisition and disposal of approximately 16 acres of land between the CBJ and the applicant.

Resource	Summary
Conservation Areas	None
Wetlands	No known wetlands on site.
Anadromous	An on-site stream is only anadromous below North Douglas Highway, and is not anadromous on the lots being reviewed. Streams are only anadromous where designated by Alaska Department of Fish & Game.
Impaired Waterbodies	None known.
Historic	None.
Archeological	None known.
Comprehensive Plan View sheds	None

This land purchase by the CBJ would extend the 200-foot designated stream corridor surrounding Grant Creek, in line with the 2013 Comprehensive Plan.

**CONFORMITY WITH ADOPTED PLANS**

**2013 COMPREHENSIVE PLAN VISION:** *The City and Borough of Juneau is a vibrant State Capital that values the diversity and quality of its natural and built environments, creates a safe and satisfying quality of life for its diverse population, provides quality education and employment for its workers, encourages resident participation in community decisions and provides an environment to foster state-wide leadership.*

**2013 COMPREHENSIVE PLAN –** The proposed text amendment is in compliance with the 2013 Comprehensive Plan.

Chapter	Page No.	Item	Summary
4	37	Policy 4.2	<i>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.</i>
7	79	DG2	<i>On publicly-owned lands, designated on the Land Use Code Maps as not appropriate for development an area extending 200 feet from the Ordinary High Water Mark of the shorelines or stream corridors of the anadromous fish creeks, streams, and lakes listed in the most recently CBJ-adopted Alaska Department of Fish and Game inventory of anadromous fish streams.</i>
17	226	Policy 17.2	<b>SOP4:</b> <i>Base decisions regarding disposal of CBJ-owned lands on demonstrated market demand and evidence that disposal will be in the public interest and, particularly, for projects that would provide affordable housing or that would create jobs that pay a living wage. Coordinate activities with an orderly system for extending and constructing the public facilities and services called for in the transportation/public facilities and services element of the Plan.</i>

<b>2013 COMPREHENSIVE PLAN</b> – The proposed text amendment is in compliance with the 2013 Comprehensive Plan.			
			This application is in conformity with the Adopted 2013 Comprehensive plan Policy 17.2 SOP4. The stated intent of the application is to subdivide the land for future housing development. There is a significant demand for all types of housing in the CBJ. This purchase would be in the broader public interest to provide more buildable lands for housing development.

<b>2016 HOUSING ACTION PLAN</b> – The proposed text amendment complies with the 2016 Housing Action Plan			
Chapter	Page No.	Item	Summary
Part 2	36	Develop Housing Choices to Accommodate Juneau’s Workforce Needs	The applicant has stated that they are seeking to create, “small, affordable lots” through this land purchase. Currently, there is no requirement that the development qualify for affordable housing as defined by the Department of Housing and Urban Development standards.

<b>2016 CBJ Land Management Plan</b> – The proposed text amendment complies with the 2016 CBJ Land Management Plan			
Chapter	Page No.	Item	Summary
N/A	7	Goal 1	Continue the land disposal program which systematically places CBJ land into private ownership.
N/A	112	Recommendations	<i>Disposal of large tracts to private developers.</i> This proposal is in conformity with the 2016 CBJ Land Management Plan by providing disposal of large tracts of land to private developers. The plan designates this tract as retain/dispose.

**AGENCY REVIEW**

CDD conducted an agency review comment period between July 13, 2022 and July 27, 2022. Agency review comments can be found in Attachment C.

Agency	Summary
General Engineering	No concerns with the land swap.
Assessor	No comments received.
Alaska Department of Transportation & Public Facilities	No comments received.

**PUBLIC COMMENTS**

CDD conducted a public comment period between July 19, 2022 and August 1, 2022. Public comments can be found in Attachment D.

**FINDINGS**

In accordance with CBJ 49.15.580, staff finds the proposed acquisition and disposal of land by the CBJ complies with the Title 49 Land Use Code and is in general conformity with adopted plans, specifically the 2013 Comprehensive Plan, the Housing Action Plan, and the CBJ Land Management Plan.

**RECOMMENDATION**

Staff recommends the Planning Commission adopt the Director's analysis and findings and forward a recommendation of APPROVAL to the CBJ Assembly for the acquisition and disposal of land by the CBJ.

**STAFF REPORT ATTACHMENTS**

<b>Item</b>	<b>Description</b>
<b>Attachment A</b>	Application Packet
<b>Attachment B</b>	Public Notice Materials
<b>Attachment C</b>	Agency Comments
<b>Attachment D</b>	Public Comments
<b>Attachment E</b>	Reviewed Materials



# DEVELOPMENT PERMIT APPLICATION

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

To be completed by Applicant	<b>PROPERTY LOCATION</b>	
	Physical Address 4305 North Douglas Highway	
	Legal Description (if applicable, Survey Block, Tract, etc.) USS 2135 TR 1 TRA, 11SS 2305 LT 15, USS 4605 FR, USS 4605 FR	
	Parcel Number(s) 6D0601130010, 6D0601110020, 6D0601100010, 6D0601100011	
	<input type="checkbox"/> This property located in the downtown historic district	
	<input type="checkbox"/> This property located in a mapped hazard area, if so, which _____	
	<b>LANDOWNER/LESSEE</b>	
	Property Owner Gary Tigar, Grant Creek Homes/ City and Borough of Juneau	Contact Person Murray Walsh, WPDS
	Mailing Address 1765 Palo Verde Blvd S. Lake Havasu City, AZ 86403-4735	Phone Number(s) 907-723-8444
	E-mail Address garttigar@sbcglobal.net / murray@acsalaska.net / Dan.Bleidorn@juneau.org	
<b>LANDOWNER/LESSEE CONSENT</b> <small>Required on 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>Murray Walsh</u> Landowner/Lessee Signature	5-27-22 Date	
X <u>Daniel Bleidorn</u> Landowner/Lessee Signature	5/25/22 Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.		
<b>APPLICANT</b> <small>If the same as OWNER, write "SAME"</small>		
Applicant WPDS	Contact Person Murray Walsh	
Mailing Address 2974 FOSTER AVE	Phone Number(s) 907-723-8444	
E-mail Address garttigar@sbcglobal.net / murray@acsalaska.net		
X <u>Murray Walsh</u> Applicant's Signature	5-27-22 Date of Application	

DEPARTMENT USE ONLY BELOW THIS LINE

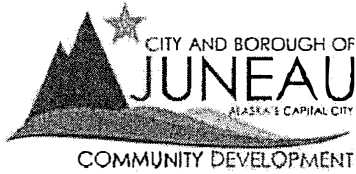
This form and all documents associated with it are public record once submitted.

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

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

Intake Initials AS
Date Received 5/31/22

Case Number <del>CS22-003</del> PAD 22-002
--



# CITY/STATE PROJECT AND LAND ACTION REVIEW APPLICATION

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

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

To be completed by Applicant

**PROJECT SUMMARY**  
See attached Memo to the LHED Committee of the Assembly

**TYPE OF PROJECT REVIEW:**  
 City Project Review      City Land Acquisition / Disposal      State Project Review

**PROJECT NUMBERS ASSOCIATED WITH PROPOSAL:**  
 Is this project associated with any other Land Use Permits?      YES Case No.: \_\_\_\_\_      NO  
 Capital Improvement Program # (CIP) \_\_\_\_\_  
 Local Improvement District # (LID) \_\_\_\_\_  
 State Project # \_\_\_\_\_

**ESTIMATED PROJECT COST: \$** \_\_\_\_\_

**ALL REQUIRED MATERIALS ATTACHED**  
 Complete application  
 Pre-Application notes (if applicable)  
 Narrative including:  
      Current use of land or building(s)  
      Proposed use of land or building(s)  
      How the proposed project complies with the Comprehensive Plan  
      How the proposed project complies with the Land Use Code (Title 49)  
 Site Plan (details on page 2)

**NOTE: This application is required even if the proposed project is associated with other Land Use permits.**

DEPARTMENT USE ONLY BELOW THIS LINE

CITY/STATE PROJECT FEES	Fees	Check No.	Receipt	Date
Application Fees	\$ <u>150</u>			

\$100 sign deposit  
\$50 sign fee

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

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

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

Case Number	Date Received
<u>CSP12-003</u>	<u>5/3/06</u>

## City/State Project and Land Action Review Information

City and State project review is outlined in CBJ 49.15.580

Each application for a City/State Project is reviewed by the Planning Commission at a public hearing. The permit procedure is intended to provide the Commission the flexibility necessary to make recommendations tailored to individual applications.

**Application:** An application for a City/State Project Review will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

- 1.e **Forms:** Completed City/State Project Review Application and Development Permit Application forms.e
- 2.e **Fees:** No fee required for projects that cost less than \$2.5 million. For projects costing more than this amount, the fee is \$1,600.00. All fees are subject to change.e
- 3.e **Project Narrative:** A detailed narrative describing the project.e
- 4.e **Plans:** All plans are to be drawn to scale and clearly show the items listed below:
  - a.e Plat, site plan, floor plan and elevation views of existing and proposed structures and land;
  - b.e Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances;
  - c.e Proposed traffic circulation within the site including access/egress points and traffic control devices;
  - d.e Existing and proposed lighting (including cut sheets for each type of lighting);
  - e.e Existing and proposed vegetation with location, area, height and type of plantings; and,
  - f.e Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

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

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

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

**Review:** As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the permit request the application may be required to be reviewed by other municipal boards and committees. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

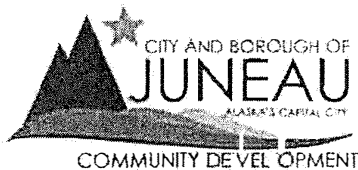
**Hearing:** All City/State Project Review Permit Applications must be reviewed by the Planning Commission. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting. The Planning Commission will make a recommendation based on staff's analysis and forward it to the Assembly for final approval/denial.

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**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

Attachment A - Application Packet





# PROPERTY ACQUISITION AND DISPOSAL REVIEW APPLICATION

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

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

To be completed by Applicant	<b>PROJECT SUMMARY:</b> Gary Tigar and Grant Creek Homes are requesting to sell the City a 105,347 square foot area of property that is within the floodplain and buy 140,394 square foot of uplands from the CBJ <i>- See attached memo to the LHED Committee of the Assembly</i>
	<b>TYPE OF PROJECT REVIEW:</b> Property Acquisition Review                                  Property Disposal Review
	<b>PROJECT NUMBERS ASSOCIATED WITH PROPOSAL:</b> Is this project associated with any other Land Use Permits? <input type="checkbox"/> YES    Case No.: _____ <input type="checkbox"/> NO Capital Improvement Program # (CIP) _____
	<b>ESTIMATED PROJECT COST:</b> \$ _____
	<b>ALL REQUIRED MATERIALS ATTACHED</b> <input type="checkbox"/> Complete application <input type="checkbox"/> Pre-Application notes (if applicable) <input type="checkbox"/> Narrative including: <input type="checkbox"/> Current use of land or building(s) <input type="checkbox"/> Proposed use of land or building(s) <input type="checkbox"/> How the proposed project complies with the Comprehensive Plan <input type="checkbox"/> How the proposed project complies with the Land Use Code (Title 49) <b>Site Plan</b> (details on page 2)

**NOTE: This application is required even if the proposed project is associated with other Land Use permits.**

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

PROPERTY ACQUISITION & DISPOSAL FEES	Fees	Check No.	Receipt	Date
Application Fees	\$ _____			

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

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

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

Case Number	Date Received

## **Property Acquisition & Disposal Review Information**

Property Acquisition & Disposal project review is outlined in CBJ 53.04 and 53.09

Each application for a Property Acquisition & Disposal project is reviewed by the Planning Commission at a public hearing. The permit procedure is intended to provide the Commission the flexibility necessary to make recommendations tailored to individual applications.

**Application:** An application for a Property Acquisition & Disposal project review will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

- 1.e **Forms:** Completed Property Acquisition & Disposal Project Application, and Development Permit Application forms.e
- 2.e **Fees:** No fee required for projects that cost less than \$2.5 million. For projects costing more than this amount, the fee is \$1,600.00. All fees are subject to change. e
- 3.e **Project Narrative:** A detailed narrative describing the project.e
- 4.e **Plans:** All plans are to be drawn to scale and clearly show the items listed below:e
  - a.e Plat, site plan, floor plan and elevation views of existing and proposed structures and land;e
  - b.e Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances;e
  - c.e Proposed traffic circulation within the site including access/egress points and traffic control devices;e
  - d. Existing and proposed lighting (including cut sheets for each type of lighting);e
  - e.e Existing and proposed vegetation with location, area, height and type of plantings; and,e
  - f.e Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)e

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

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

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

**Review:** As part of the review process the Community Development Department will evaluate the application for consistency with applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the permit request the application may be required to be reviewed by other municipal boards and committees. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

**Hearing:** Property Acquisition & Disposal project Applications must be reviewed by the Planning Commission. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting. The Planning Commission will make a recommendation based on staff's analysis and forward it to the Assembly for final approval/denial.

---

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

1765 Palo Verde Blvd. S.  
Lake Havasu City, AZ 86403  
(928) 566-4007e

Grant Creek Homes, LLC

---

July 8, 2022

Mr. Joseph Meyers  
Community Development Department  
City & Borough of Juneau  
155 South Seward Street  
Juneau, AK 99801

RE: PAD 2022 0002  
CBJ Parcel USS 2135 TR 1 TR A, PCN 6D0601110020 and  
CBJ Parcel USS 2305 LT 15, PCN 6D0601130010

Dear Mr. Meyers:

I instructed Murray Walsh, Walsh Planning & Development Services, to submit a Development Permit Application form and acknowledge his submittal as applicant for the benefit of Grant Creek Homes, LLC, as owner. I further agree to the land use action according to the Project Overview in Case Number PAC2022 0018 which has been assigned to a new file type PAD 2022 0002.

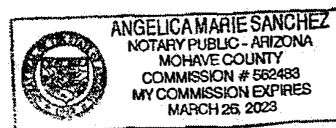
I do indeed approve the application to trade portions of these two properties, which are adjacent to Grant Creek, for a similar-sized portion of land owned by the CBJ to the south. This will enable creation of a new parcel that will be subdivided into small affordable lots, most with shared driveways.

I reside in Arizona and can be reached by phone, email or letter as shown above/below. I am represented in Juneau by Murray Walsh, Walsh Planning & Development Services and have been for many years. I am sure you have his contact information. I am available, if necessary to communicate on this matter in any manner you wish.

Sincerely,



Gary Tigar, Member  
Grant Creek Homes, LLC



# ARIZONA NOTARY ACKNOWLEDGMENT

State of Arizona

County of Mohave

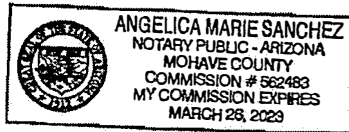
The foregoing instrument entitled DP. A was

acknowledged before me this July 8, 2020 (date) by

Gary Tiger (name of person acknowledged). The person has

personally appeared before me and presented identification to establish his or identity as required by law.

(Seal)



*Angelica Marie Sanchez*

Signature of Notary Public



Angelica Marie Sanchez  
Branch Manager Sr  
NMLS ID 222313  
T 928-855-1513 F 928-855-0700  
angelica.sanchez511@pnc.com

Member of The PNC Financial Services Group  
1992 McCulloch Boulevard V9-E134-01-1  
Lake Havasu City Arizona 86403  
pnc.com/locator

NOTARY ACKNOWLEDGEMENT FORM

Attachment A - Application Packet

Attachment A- Application Packet

# MEMORANDUM

CITY/BOROUGH OF JUNEAU

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

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

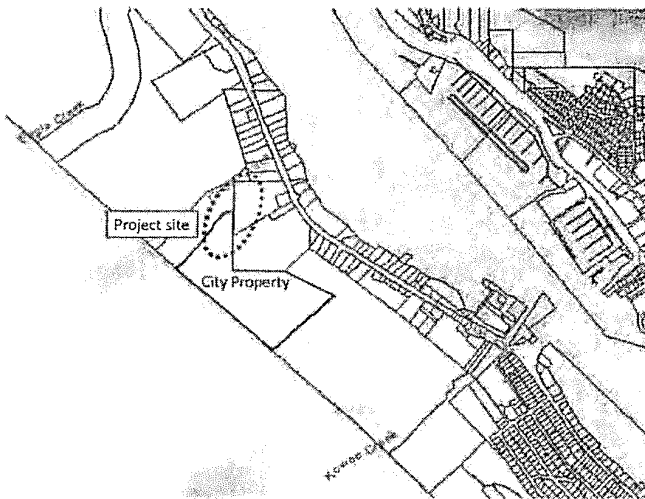
**FROM:** Dan Bleidorn, Lands and Resources Manager *Daniel Bleidorn*

**SUBJECT:** Gary Tigar Grant Creek Homes Request to Purchase City Property through a Land Trade

**DATE:** April 28, 2022

The Lands Office has received a request for a land trade from Gary Tigar and Grant Creek Homes. The applicant is requesting to sell the City a 105,347 square foot area of property that is within the floodplain and buy a City owned 140,394 square foot uplands parcel. Both values would be determined by appraisal. The application states that the newly configured property would be subdivided into small single family lots.

The City owned property being requested in this application is a fraction of a 654-acre parcel in North Douglas. The location is southeast of Bonnie Brae Subdivision and Falls Creek, 4-mile North Douglas Highway, Eagle Creek and Grant Creek run through this property. The



The Land Management Plan designates this property as retain/dispose, and it is managed by the Lands Office.

## **53.09.260 - Negotiated sales, leases, and exchanges.**

(a) *Application, initial review, assembly authority to negotiate.* Upon application, approval by the manager, and payment of a \$500.00 fee, a person or business entity may submit a written proposal to lease, purchase, exchange, or otherwise acquire City and Borough land for a specified purpose. The proposal shall be

reviewed by the assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the

assembly by motion, the manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land.

If approved by the LHED Committee, this application will be forwarded to the Assembly as New Business to make a determination under 53.09.260 (a). In order to dispose of this property, the Assembly must adopt an ordinance authorizing the sale after the Planning Commission has had the opportunity to review it.

The Applicant is concurrently working through permitting process for the proposed subdivision. A pre-application meeting has already taken place and Lands, CDD and the Applicant were able to discuss the proposal, ask questions and provide direction on how to proceed. Based on the outcome of the subdivision review and subsequent negotiations the actual square footage and property boundaries of the proposed land trade would likely change if this proceeds.

**Staff request that the Lands, Housing and Economic Development Committee forward this application to the Assembly with a motion of support for disposal of City property to Gary Tigar and Grant Creek Homes through a negotiated disposal or land trade.**

Attachments:

1. Gary Tigar Grant Creek Homes Application to Purchase City Property
2. Draft Report from the Subdivision Pre-application Meeting



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

### Grant Creek Major Subdivision

Case Number: PAC2022 0018  
 Applicant: Murray Walsh  
 Property Owner: Grant Creek Homes, LLC  
 Property Address: Unassigned  
 Parcel Code Number: 6D060111002  
 Site Size: 8.78 acres or 382,457 Square Feet  
 Zoning: D18  
 Existing Land Use: Vacant

Conference Date:	March 18, 2022
Report Issued:	April 29, 2022
<b>DISCLAIMER: Pre-application conferences are conducted for purposes of providing applicants with a preliminary review of a project and timeline. Pre-application conferences are not based on a complete application, and are not a guarantee of final project approval.</b>	

### List of Attendees

Note: Copies of the Pre-Application Conference Report will be emailed, instead of mailed, to participants who have provided their email address below.

Name	Title	Email address
Murray Walsh	Applicant	<a href="mailto:Murray@acsalaska.net">Murray@acsalaska.net</a>
Beth McKibben, AICP	Senior Planner	<a href="mailto:Beth.mckibben@juneau.org">Beth.mckibben@juneau.org</a>
David Peterson	Planner 2/Plat Reviewer	<a href="mailto:David.Peterson@juneau.org">David.Peterson@juneau.org</a>
Scott Ciambor	Planning Manager	<a href="mailto:Scott.ciambor@juneau.org">Scott.ciambor@juneau.org</a>
Ken Hoganson	General Engineering	<a href="mailto:Ken.hoganson@juneau.org">Ken.hoganson@juneau.org</a>
Dan Bleidorn	Lands Manager	<a href="mailto:Dan.Bleidorn@juneau.org">Dan.Bleidorn@juneau.org</a>
Eddie Quinto	Permit Specialist	<a href="mailto:Edward.quinto@juneau.org">Edward.quinto@juneau.org</a>

## Conference Summary

Questions/issues/agreements identified at the conference that weren't identified in the attached reports. The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

### Project Overview

The applicant seeks to subdivide an 8.78 acre parcel into 63 lots in the D18 zoning district. The applicant also seeks a land trade with CBJ. Attachment A shows the conceptual land trade. The land trade would have to precede the proposed subdivision. To pursue the proposed land trade the applicant will have to apply to acquire CBJ property through a negotiated land trade. (more here based on DB notes).

A major subdivision application is required for the proposed subdivision. A major subdivision is a two-step process – the preliminary plat and the final plat. Both steps require a public hearing and approval by the Planning Commission. Due to the overall potential number of dwelling units on the parcel and the trips generated, a Traffic Impact Analysis will be needed and is required with submittal of the preliminary plat.

Requirements for the preliminary plat are listed at CBJ 49.25.411 and final plat requirements are at CBJ 49.25.412. Because this project is projected to be part of a major subdivision development, pursuant to CBJ 49.15.401(a) (1) (A), a major subdivision must be applied for.

Because the property is zoned D-18, uses would need to be consistent with the Table of Permissible Uses, CBJ 49.25.300. The lots would need to be consistent with the Table of Dimensional Standards, CBJ 49.25.400. Conceptual subdivision shows 22 pairs of panhandle lots and 19 standard lots.

During the pre-application conference the applicant mentioned the project may be phased. CBJ 49.15.411(f)(3)(D) states that if phasing is proposed then the boundaries and number of each phase, sequential lot numbering, and a subdivision name consistent with previous phases shall be shown.

### Planning Division

- 1.e Zoning –D-18 (18 du/acre) with a maximum density of 158 dwelling units (8.78 acres X 18 du/acre)e
- 2.e Subdivision – (if a subdivision, provide lot dimensions)e

Dimension	Minimum	Commonwall	Bungalow
Lot size, square feet	5,000	2,500	2,500
Lot width, feet	50 feet	20	25

Additionally:

CBJ 49.15.421 establishes dimensional standards specific to lots fronting a cul-de-sac or similar curved ROW – the Commission (for major subdivisions) makes a determination that meeting minimum lot width at the front building line in accordance with the TPU is impractical, may be reduced as necessary to achieve a reasonable lot configuration.

CBJ 49.15.423(a)(1) establishes dimensional standards specific to panhandle lots as follows:

(1)Dimensional requirements.e



- A) The front and panhandle lots must meet all the dimensional and area requirements of this title.
- (B) No part of the panhandle portion of the lot shall be less than 20 feet wide.
- (C) The panhandle portion of the lot shall not be longer than 300 feet.
- (D) No buildings are allowed to be built or placed in the panhandle portion of the lot.
- (E) In a D-1 zoning district, 30 feet of the width of the panhandle of the rear lot may be used in determining the width of the front lot.
- (F) The lot width for the panhandle lot shall be the distance between its side lot lines measured behind the back lot line of the front lot.

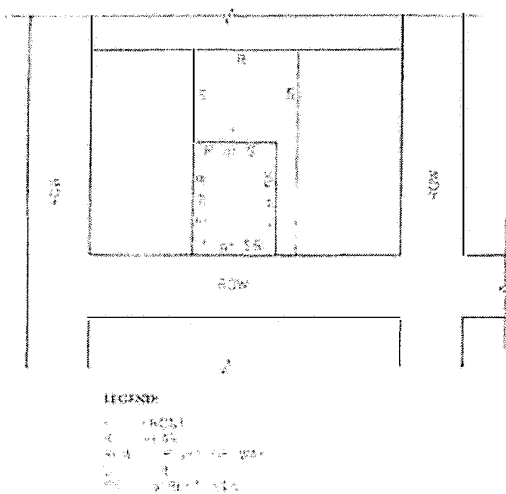
3. **Setbacks –**

- a. **Front:** 20 feet
- b. **Side:** 5 feet (commonwall 0' and 5')
- c. **Street side:** 13 feet
- d. **Rear:** 10 feet

CBJ 49.25.400 (TPU) note 3 – where one district abuts another, the greater of the two setbacks is required for both uses on the common property line. A portion of the site of the proposed project abuts a D3 zone. Setbacks for the D3 zone are as follows:

- a. **Front:** 25 feet
- b. **Side:** 10 feet
- c. **Street side:** 17 feet
- d. **Rear:** 25 feet

The image below indicates where setbacks are measured on panhandle lots.



4. **Height –**

a.e Permissible use: 35 feet

b.e Accessory use: 25 feet

5.e Access – via a new public right-of-way from Douglas Highway. AKDOT permits will be required for access to the state road.e

Proposed access within the subdivision is shown as a 60-foot wide public right-of-way, ending in a cul-de-sac.e

CBJ 49.35.240 Improvement Standards (Attachment G). Of note related to the proposal:e

- e CBJ 49.35.240(d)(1) requires grades on streets other than arterials must not exceed 12%. Fire Department requires no more than 10% w/out approval by the Fire Department.e
- e CBJ 49.35.240(d)(3) requires the minimum cross slope on all streets is 3%.e
- e CBJ 49.35.240(g) limits the length of streets designed to be have one end permanently closed to *no more than 600 feet in length*. Concept submitted for preapplication conference shows a cul-de-sac in excess of 600 feet. CBJ 49.35.240(g) (1) the Commission (for major subdivisions) may authorize a longer or shorter cul-de-sac if it is found that unique characteristics of the site warrant modifications.e
- e Additionally, CBJ 49.35.120(a) requires the developer must install all of the required improvements within the boundaries of the development, and may be required to make improvements beyond the development boundary in order for all of the improvements to function properly. In addition,*e improvements must be designed and constructed to provide for future extension to adjoining lands.*
- CBJ Lands Division indicated access to adjoining CBJ land from the proposed subdivision would be needed to gain support for the requested land trade.
- e CBJ 49.35.240(g)(2) Temporary cul-de-sac may be allowed where a street can be practically be extended to provide for connecting streets into adjoining undeveloped land. CBJ 49.35.240 requires a minimum diameter 120 feet for temporary cul-de-sacs. Temporary cul-de-sac may be permitted if all of the following are met per CBJ 49.35.240(g)(2):e
  - (A)The temporary portions of the cul-de-sac shall be easements on the plat rather than a dedicated right-of-way. Such easements shall allow for public access and maintenance as if it were dedicated right-of-way until such time the easements are vacated. The easements shall not contribute towards lot area.
  - (B)All of the cul-de-sac must be constructed to permanent street construction standards except as noted in (G) below.
  - (C)The CBJ will record a release of the easements for the temporary portions of the cul-de-sac at the state recorder's office at Juneau at the time the cul-de-sac is removed and the street improvements have been extended.
  - (D)Easement lines for the temporary cul-de-sac will be considered front property lines for determining building setbacks.e
  - E) All improvements, including utilities and private driveways, must be designed to accommodate the eventual extension of the street and reversion of the temporary cul-de-sac to adjoining properties. The construction plans shall demonstrate those improvements connecting through a temporary cul-de-sac will still comply with CBJ standards after the temporary cul-de-sac is removed.
  - (F)Temporary cul-de-sacs must provide required access and minimum frontage on a public right-of-way maintained right-of-way to all lots using the cul-de-sac as access. If the cul-de-sac is not extended to the adjoining property, the maximum length of an unconstructed right-of-way

between the temporary cul-de-sac and the adjoining property shall be the minimum lot width for the zoning district. If the right-of-way is located in more than one zoning district, the shortest minimum lot width shall be used. The right-of-way between the constructed temporary cul-de-sac and the adjoining property shall be subject to the stub street requirements of this Title (See Figure 3). Attachment B  
<https://mcclibrary.blob.core.usgovcloudapi.net/codecontent/13307/398872/49.35.240.g.2.png>

(G)The temporary cul-de-sac may be located on property within the subdivision intended for a future subdivision phases in conjunction with a platted right-of-way. It may also be located outside the subdivision boundary entirely within an easement (See Figure 4). If the temporary cul-de-sac is constructed on property outside of the subdivision boundary, then curb, gutter, and sidewalks are not required for the temporary cul-de-sac. Figure 4 Attachment C

<https://mcclibrary.blob.core.usgovcloudapi.net/codecontent/13307/398872/49.35.240.g.2.g.png>

(H)The plat shall include the following note "Temporary cul-de-sac easement shall be vacated upon extension of street unless the director determines all or a portion of the cul-de-saca may remain."

(I)When the developer of adjoining property is required to connect to the temporary cul-de-sac, the temporary portions of the cul-de-sac shall be removed. The director, after considering public safety, costs, and recommendations of the director of engineering and public works department and of the fire marshal, shall determine if the developer may leave all or part of the temporary portions of the cul-de-sac. If any temporary cul-de-sac portion is removed, then the resulting constructed right-of-way shall conform to CBJ standards.

(3)Hammerhead turnarounds. Hammerhead turnarounds may be built in lieu of a temporary cul-de-sac, upon approval by the director of engineering and public works.

CBJ 49.35.240(I)(2) The Commission (for major subdivisions) may waive full construction of a roadway w/in a ROW that is required to provide access to a bordering property, and does not provide required access to any lot w/in the subdivision. Developer is required to demonstrate a stub street can be reasonably constructed to CBJ standards in the ROW. The Commission may require provision of a roadbed, utility line extensions, or other appropriate improvements.

With an Average Daily Trip (ADT) of more than 500 ADT, the public ROW will require sidewalks on both sides, a 26 foot wide travel way width, street lights at all intersections, a 60 foot public ROW, paved and publically maintained.

**6.a Parking & Circulation**— CBJ 49.15.423(3) addresses parking for panhandle lots as follows:

(3)Access and parking.a

(A)Access for the lots shall be located in the panhandle. A lot fronting a right-of-way may have a separate and additional access if approved by the government entity that controls rights-of-way. Access to each lot shall be designated on the plat in the form of an easement.

(B)Off-street parking shall be provided in an amount sufficient to meet the requirements of CBJ 49.40, article II.a

(C)A driveway and parking plan that shows the feasibility of off-street parking shall be submitted and approved by the director prior to recording the plat.a

(D)Back out parking is prohibited unless approved by the director.a

- (E) The applicant must provide assurance in the form of an easement, plat note referencing the maintenance agreement, and a maintenance agreement that is recorded with the subdivision, on forms acceptable to the director, ensuring the required access and parking areas will be constructed and maintained by all future property owners.
- (F) Any portion of a driveway not located in a public right-of-way shall comply with emergency service access as required by CBJ 19.10. A profile of the proposed driveway centerline shall be submitted as part of the plat application, and must meet Alaska Department of Transportation and Public Facilities or CBJ driveway standards, as appropriate based on ownership of the right-of-way.
- (G) Existing driveways and access points not meeting the requirements of this section must be abandoned, and improvements thereto removed and relocated prior to plat recordation.
- (H) The portion of the driveway in the right-of-way or the first 20 feet from the edge of the public roadway shall be paved, whichever length is greater.

7.e Lot Coverage – maximum lot coverage is 50%

8.e Vegetative Coverage – minimum vegetative cover is 30%

9.e Lighting – With an estimated Average Daily Trips (ADT) of more than 500 ADT street lights will be required at all intersections.

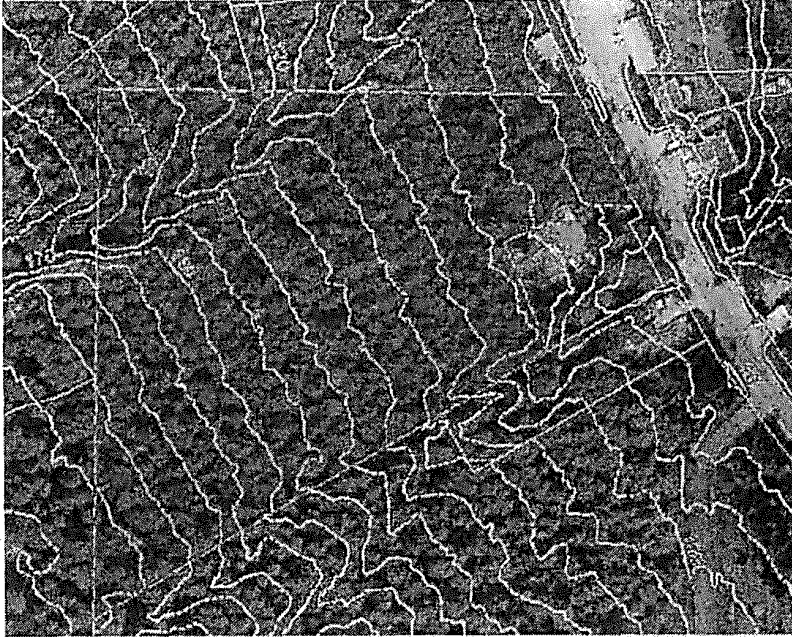
10.e Noise – N/A

11.e Flood – FIRM panel 02110C1562E - A portion of the project site is in the A flood zone. It is also in the area of land the applicant proposes to trade to CBJ. Any development within the flood zone would require a Floodplain Development Permit from CDD. CBJ 49.70 Article IV – Flood Hazard Areas (attachment E) Issuance of a Floodplain Development Permit requires certification from the applicant that all required state and federal permits have been obtained for the development. This would include obtaining the Corps of Engineers permit to fill the area. Depending on area of the land swap – if the proposed subdivision includes areas within the flood zone the following plat note will be required:

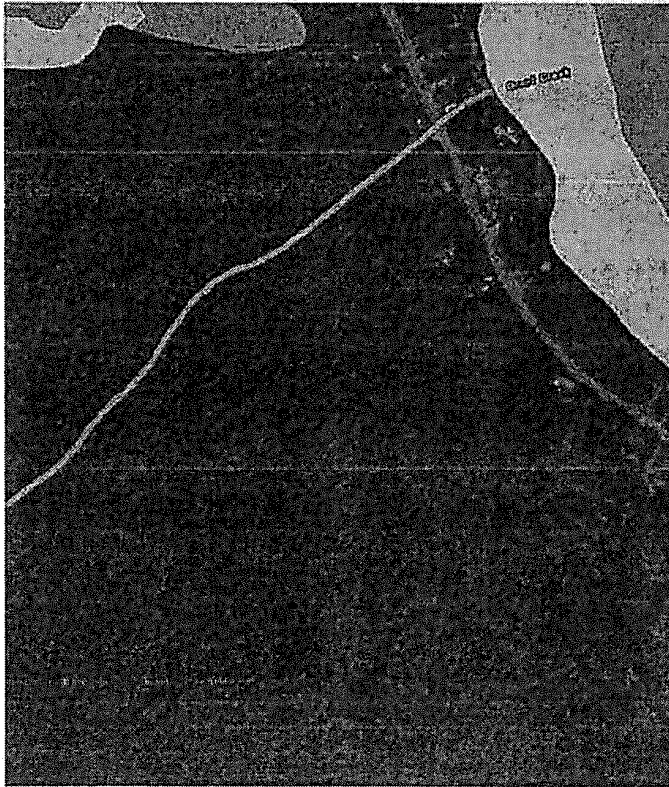
PARTS OF THIS SUBDIVISION ARE LOCATED IN A SPECIAL FLOOD HAZARD AREA ACCORDING TO THE EFFECTIVE CITY AND BOROUGH OF JUNEAU FLOOD INSURANCE RATE MAPS (FIRM) COMMUNITY PANEL #XXXXXXXX, DATED XXXXX X, AND XXXX. SPECIAL REGULATIONS MAY APPLY, INCLUDING DEVELOPMENT STANDARDS IN CITY AND BOROUGH OF JUNEAU TITLE 49, LAND USE CODE.



12. Hazard/Mass Wasting/Avalanche/Hillside Endorsement – Some portions of the site may exceed 18% slope. A Hillside Endorsement may be required. A plat note may be required. Attachment.D - CBJ 49.70 Article II, Hillside Endorsement.



13. Wetlands – According to the US Fish & Wildlife Service National Wetlands Inventory no wetlands are mapped on the site.



14. Habitat –

- a.e **Anadromous waterbodies:** Grant Creek, which runs through the property, is an anadromouse waterway and will require a 50 foot buffer from the Ordinary High Water Mark (OHWM). Thee area required for the 50 foot anadromous water body buffer is in the area proposed for tradee with the CBJ.e
- b.e **Eagle Nests:** Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. Thee presence of eagle nests may impact construction scheduling.e

**15.ePlat or Covenant Restrictions – N/Ae**

**16.eTraffic –** A single-family dwelling creates 9.52 average daily trips (ADTs). Based on the proposed subdivision, the applicant is seeking to create 63 individual lots for an estimated 599 ADT for thee subdivision. *CBJ 49.40.300 requires a Traffic Impact Analysis (TIA) for developments projected to generate 500 or more ADT.* (Attachment F)e

**17.eNonconforming situations – None noted.e**

**Building Division**

**18.eBuilding – N/Ae**

**19.eOutstanding Permits – Nonee**

**General Engineering/Public Works**

**20.eEngineering –**

- a. At the time of preliminary plat submittal, submit an erosion control report explaining the methode by which the applicant proposes to control erosion and manage runoff, and potential impacts toe adjacent properties or water bodies. The report shall include a plan for preservation of groundee cover in areas where runoff and resulting erosion need to be minimized.e
- b.e Construction plans to be submitted after the approval of the preliminary plat and before finale plat submission. Construction plans must adhere to 49.35.140, CBJ Standard Specifications fore Civil projects and Subdivision improvements, CBJ Standard Details and must be signed ande stamped by Alaskan licensed engineers for each discipline. Construction plans for this layout ofe development does not need to include all phases of full buildout of development. For specifice requirements, please refer to CBJ code by visiting: CBJ Code – City and Borough of Juneau ande referencing chapter 49.35 – Public and Private Improvements.e
- c.e Prior to final plat, an Engineer’s estimate for the installation of public improvements must bee submitted. Once this is received, a performance bond amount will be determined and must bee paid/posted prior to recording of the final plat. Further discussion regarding the bond can takee place once the project phasing is determined. For all options regarding the financial guarantee,e please refer to 49.55 – Financial Responsibility.e
- d.e Dependent on the construction plan and schedule an inspection deposit will be required and ae private inspector may be hired.e
- e.e Easements: Site plan and plat shall include all existing and proposed easements for drainage,e utility lines including plumbing lines, access, snow storage, trash (dumpster) storage, or any othere shared use that requires crossing the property line.e
- f.e Permits required will be determined by the subdivision process you follow. They may includee Right-of-way permit, grading permit, water utility permit, and sewer utility permit.e

#### 21. Drainage –

- a. Drainage report with the submittal of the preliminary plat does not need to be engineered. At time of construction plan submittals a drainage plan with calculations must be submitted and must be signed and stamped by an Alaskan licensed engineer.
- b. Preliminary plat requirements do need to be followed, see 49.15.411 - Preliminary plate requirements for full listing. Please do note that topographic information shall be shown as outlined under 48.15.411, (6) – Topographic Information.

#### 22. Utilities – (water, power, sewer, etc.)

- a. At time of preliminary plat, a draft plan for the proposed water and sewer lines shall be submitted showing existing installed utilities including line sizing and connection points with elevations.
- b. A report by a registered engineer or geologist that clearly supports the legal and physical availability of adequate water. Methods for proof of water availability and the standards for quantity are listed in CBJ 49.35, article III. Specifically for your project, it may require additional upgrades to the existing water system.

#### Fire Marshal

##### 23. Fire Items/Access –

- 24. Fire apparatus turn around when greater than 150 foot in length.
- 25. Due to only one road in or out of subdivision, and anything greater than 30 homes, then every home built will have to have a residential sprinkler system installed.
- 26. Additional fire hydrants minimum of every 500 feet, even with residential sprinkler systems installed additional hydrants must be provided to augment sprinkler oppression capability.
- 27. Adequate water pressure will need to be verified. Possible need a booster pump for most remote home or lot to be built on.

#### Lands Department

- 28. The process for applying to purchase city property was outline to the Applicant at this meeting. The applicant should consider maximizing density on CBJ property involved in a trade and the CBJ is also looking to gain an access route to CBJ property in this area. The Assembly authorizes disposals by adopting ordinances. A completed application is needed prior to starting the Assembly review process.

#### Other Applicable Agency Review

- 29. AKDOT & PFe
- 30. U.S. Army Corps of Engineers – (907) 753-2689
- 31. U.S. Fish & Wildlife

#### List of required applications

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review.

- 1. Development Permit Application
- 2. Subdivision Application



### 3.e Preliminary Plat Check List

#### Additional Submittal Requirements

Submittal of additional information, given the specifics of the development proposal and site, are listed below. These items will be required in order for the application to be determined Counter Complete.

- 1.e A copy of this pre-application conference report.e
- 2.e Traffic Impact Analysis in accordance with CBJ 49.40.300 (attachment F)e
- 3.e Preliminary drainage plane
- 4.e Preliminary water and sewer plane
- 5.e A driveway and parking plan that shows the feasibility of off-street parking for panhandle lots.e
- 6.e Draft maintenance agreement ensuring the required access and parking areas will be constructed and maintained by all future property owners for panhandle lots.e
- 7.e Applicable items listed under the General Engineering section of this report
- 8.e

#### Exceptions to Submittal Requirements

Submittal requirements staff has determined **not** to be applicable or **not** required, given the specifics of the development proposal, are listed below. These items will **not** be required in order for the application to be reviewed. \

- 1.e Nonee

#### Fee Estimates

The preliminary plan review fees listed below can be found in the CBJ code section 49.85.

Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

- 1.e Major Subdivision Preliminary Plat - \$110.00 per lote
- 2.e Major Subdivision Final Plat - \$70.00 per lote
- 3.e Public Notice Sign Fee - \$50.00 plus \$100.00 refundable deposit (x2). (one for the preliminary plat and one for the final plat)e
- 4.

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

#### Submit your Completed Application

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

OR in person with payment made to:

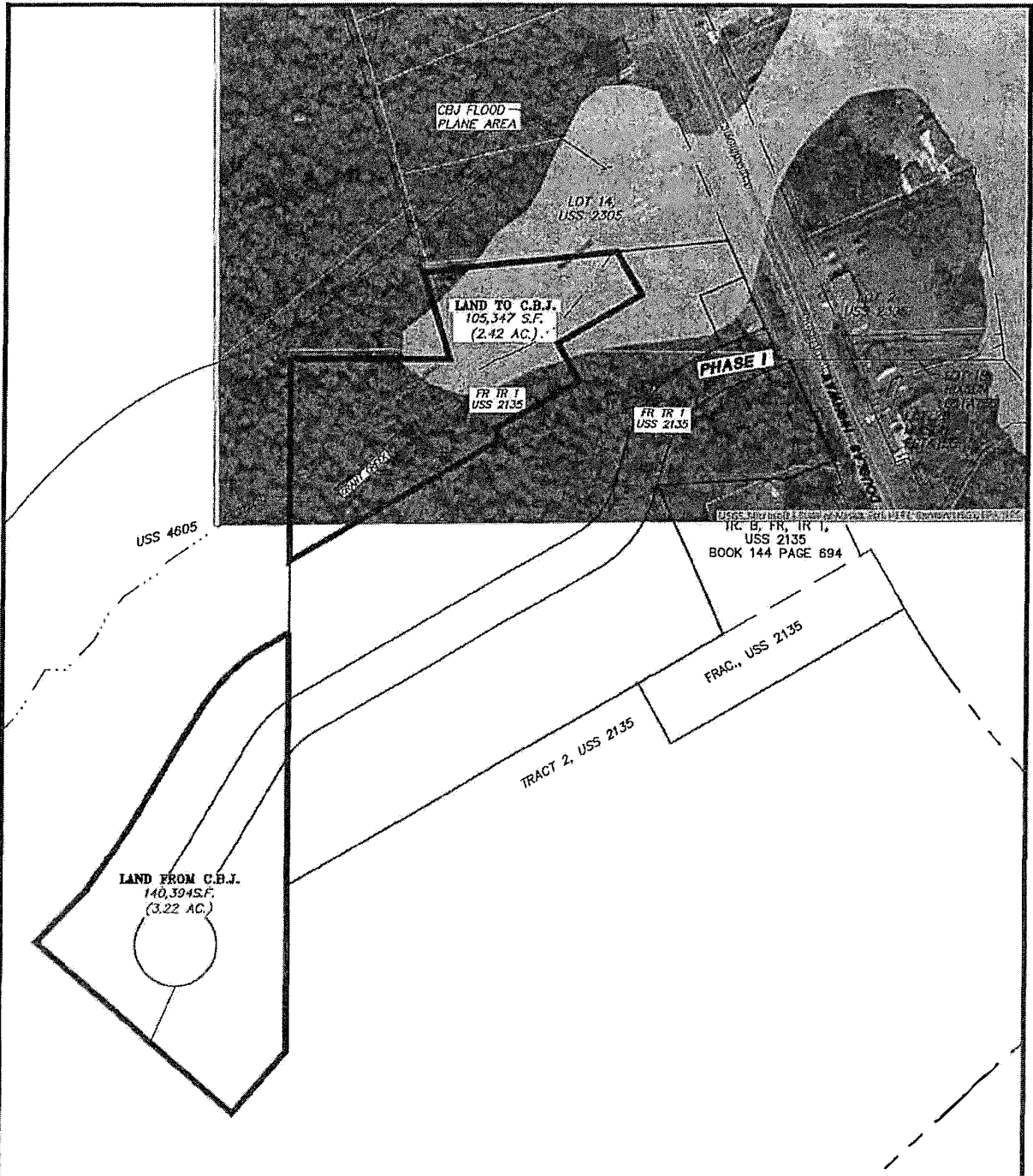
City & Borough of Juneau, Permit Center  
230 South Franklin Street  
Fourth Floor Marine View Center  
Juneau, AK 99801

Phone: (907) 586-0715

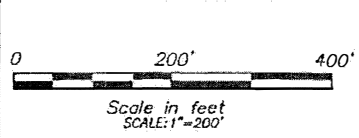
Web: [www.juneau.org/community-development](http://www.juneau.org/community-development)

**Attachments:**

- A – Proposed Land Trade
- B – Figure 3 –temporary cul-de-sac
- C – Figure 4 – temporary cul-de-sac
- D – 49.70 Article II Hillside Development
- E - 49.70 Article IV Flood Hazard Areas
- F- 49.40 Article III Traffic
- G- 49.35.240 Improvement Standards
- H- 49.15.423 Panhandle Lots



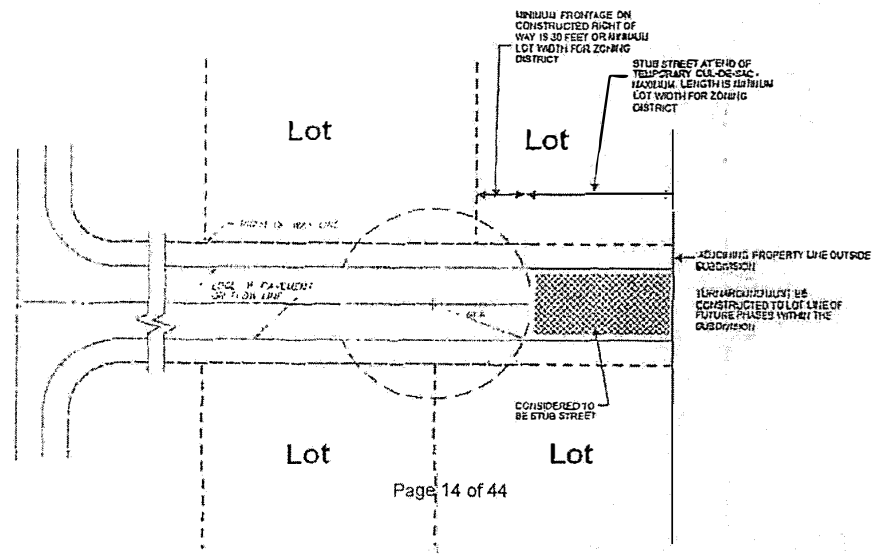
9/03/2020 14:308 PH AST  
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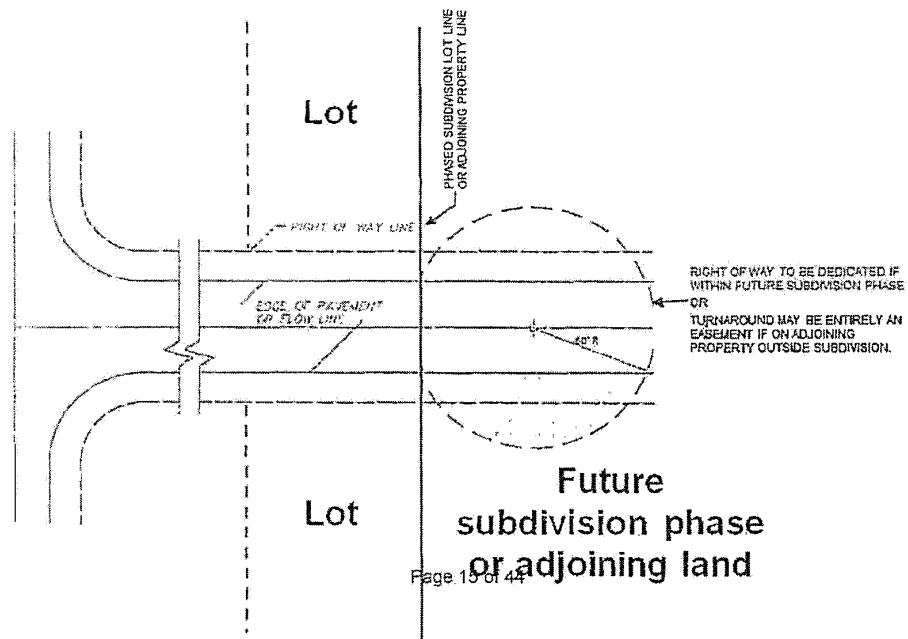


**A PLAT  
 FOR PROPOSED LAND TRADE  
 BETWEEN GRANT CREEK HOMES  
 AND THE CITY AND BOROUGH OF  
 JUNEAU, ALASKA**

DRAWN BY: GDM GRAPHICS      DATE: 9/13/2021

WALSH PLANNING & DEVELOPMENT





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## ARTICLE II. HILLSIDE DEVELOPMENT

### 49.70.200 Purposes.

The purposes of this article are to:

- (1) Ensure that hillside development provides erosion and drainage control to protect adjoining parcels;
- (2) Protect waterways from sedimentation and pollution;
- (3) Minimize injury or damage to people or property from natural or artificial hazards in hillside development; and
- (4) Minimize any adverse aesthetic impact of hillside development.

(Serial No. 87-49, § 2, 1987)

### 49.70.210 Applicability and scope.

- (a) This article applies to all development on hillsides in the City and Borough that involves the following:
  - (1) Removal of vegetative cover;
  - (2) Excavation of any slope in excess of 18 percent;
  - (3) Creation of a new slope in excess of 18 percent for a vertical distance of at least five feet; or
  - (4) Any hazard area identified on the landslide and avalanche area maps dated September 9, 1987, consisting of sheets 1—8, as the same may be amended from time to time by the assembly by ordinance or any other areas determined to be susceptible to geophysical hazards.
- (b) All hillside development endorsement applications shall be reviewed by the planning commission, except the following may be reviewed by the director:
  - (1) An excavation below finished grade for basements and footings of a building, a retaining wall or other structure authorized by a building permit, provided that this shall not exempt any fill made with the material from such excavation nor any excavation having an unsupported height greater than two feet after the completion of the associated structure.
  - (2) Graves.
  - (3) Mining, quarrying, excavating, processing, or stockpiling of rock, sand, gravel, aggregate or clay provided such operations do not affect the location or peak volume of runoff, the location or amount of standing water, or the lateral support for, the stresses in, or the pressure upon, any adjacent or contiguous property.
  - (4) Exploratory excavations less than 200 square feet in area and under the direction of a civil engineer with knowledge and experience in the application of geology in the design of civil work.
  - (5) An excavation which:
    - (A) Is less than two feet in depth and covers less than 200 square feet; or

(B)e Does not create a cut slope greater than five feet in height or steeper than one and one-half horizontal to one vertical.e

(6)e A fill less than one foot in depth and intended to support structures which fill is placed on naturale terrain with a slope flatter than five horizontal to one vertical, which does not exceed 20 cubic yards one any one lot and which does not obstruct a drainage course.e

(7)e A fill less than three feet in depth and not intended to support structures which fill is placed on naturale terrain on a slope flatter than five horizontal to one vertical, which does not exceed 50 cubic yards on e any one lot and which does not obstruct a drainage course.e

(8)e Minor development.e

(Serial No. 87-49, § 2, 1987; Serial No. 2006-15, § 22, 6-5-2006; Serial No. 2015-03(c)(am), § 51, 8-31-2015 )

#### **49.70.220 Hillside development endorsement application.**

(a)e All development on hillsides shall be pursuant to a hillside development endorsement.e

(b)e The developer shall apply for and obtain a hillside development endorsement prior to any site work othere than land and engineering surveys and soils exploration.e

(Serial No. 87-49, § 2, 1987; Serial No. 2015-03(c)(am), § 52, 8-31-2015 )

#### **49.70.230 Fees.**

The City and Borough shall charge the developer the gross hourly rate for professional review of the application and for inspection. The developer shall deposit one percent of the value of the site development, excluding that portion of the site determined by the engineer to be subject to a public transmission facility permit, in a specially designated reserve account, against which the City and Borough may bill its documented time and expenses. The developer shall promptly replenish this amount when requested, and no endorsement may be issued if there is any deficiency in the developer's reserve account. All unexpended funds in the reserve account shall be returned to the developer upon final approval of development or when the engineer is satisfied that the work under the hillside development endorsement has been completed and the requirements of this chapter have been met.

(Serial No. 87-49, § 2, 1987)

#### **49.70.240 Application.**

The application shall be accompanied by the following materials, which shall be signed and stamped by a civil engineer, architect, geologist or land surveyor licensed in the State of Alaska:

(1)e A vicinity map, at a clear and legible scale, showing roads, place and street names and naturale waterbodies.e

(2)e Site maps, showing the present condition of the site at a clear and legible scale compatible with the size of the development and including:e

(A)e Two-foot contours for flat terrain or five-foot contours for steep terrain and extending 50 feet in e all directions beyond the development site; 12 percent line, 30 percent line;e

(B)e Water bodies, tidelands and drainage ways from the development site to accepting naturale waterbody;e

- (C)e Lot boundaries and easements for the site and adjacent lots; and
  - (D) Existing improvements on the site and adjacent lots, including structures, roads, driveways and utility lines.
- (3)e The application shall include a finished proposed site plan at a clear and legible scale that includes the following information:e
- (A)e Finished grade at two-foot contours for flat terrain or five-foot contours for steep terrain and extending 50 feet in all directions beyond the development site; 12 percent line, 30 percent line.e
  - (B)e Water bodies, tidelands and drainage ways, and temporary and permanent drainage systems from the development site to the accepting natural waterbody.e
  - (C)e Lot boundaries, easements and setback lines.e
  - (D)e The location of improvements including structures, roads, driveways, utility lines, culverts, walls and cribbing.e
  - (E)e Clearing limits of existing vegetative cover.e
  - (F)e A cross section of the development site.e
- (4)e The application shall include detailed engineering drawings of roads, driveways, parking areas, structural improvements for foundations, off-site stormwater runoff systems; cross sections and road elevations.e
- (5)e A description of the source and type of any off-site fill, and the site for depositing excess fill.e
- (6)e A landscaping plan, including all trees to be retained in excavation areas, all plant species and locations; temporary slope protection measures; erosion and siltation control measures; seeding or sodding materials, a planting and maintenance program; and methods of stabilization and protection of bare slopes.e
- (7)e An engineering geologic report, including a summary of the relevant surface and bedrock geology of the site, a discussion of active geologic processes with conclusions and recommendations regarding the effect of geologic factors on the proposed development; data regarding the nature, distribution and relevant parameters of existing soils, recommendations for grading procedures; design criteria for corrective measures as necessary, and recommendations covering the suitability of the site for the proposed development.e
- (8)e A work schedule, by phase.e
- (9)e Such other different or more detailed submissions as may be required.e
- (Serial No. 87-49, § 2, 1987; Serial No. 2015-03(c)(am), § 54, 8-31-2015 )

**49.70.250 Standards for approval.**

Hillside development shall meet the following minimum standards:

- (1)e *Roads.* The City and Borough road standards shall apply to hillside development, except that:e
  - (A)e *Modification of standards.* The engineer or planning commission may modify road standards as identified in subsections (1)(B) and (C) of this section, if:e
    - (i) The developer's traffic analysis and circulation, land ownership, and development patterns indicate future use of the roadway at less than collector street levels;



- (ii)e The modification would enable the development to meet, or more closely approximate, the criteria set forth in section 49.70.260; and either
  - (iii)e The proposed road or access in question would result in a permanent cul-de-sac; or
  - (iv)e A secondary access to the proposed development exists or will be developed as a part of the project.e
- (B)e *Road width.* The width of a section of residential roadway may be narrowed to 20 feet, with a single four-foot pedestrian way and underground storm drain system, if:
- (i)e The section is not more than 200 feet in length, and is separated from other such sections by at least 100 feet of standard roadway;
  - (ii)e No entrances, intersections or parking are allowed in the section;
  - (iii)e Guard rails, if any, are designed to permit the passage of plowed snow;
  - (iv)e There is at least a 200-foot line of sight along the centerline of the section;
  - (v)e The section enables the development to meet, or more closely approximate, the criteria set forth in section 49.70.260;
  - (vi) Grouped off-street parking spaces are provided at the entry to the section; and
  - (vii) Adequate provision is made for storage of snow.e
- (C)e *Road grade.* The grade of a section of residential roadway may be increased to a maximum of 15 percent if:
- (i)e The section is not more than 200 feet in length and separated from other such sections by at least 100 feet of roadway;
  - (ii)e No entrances or intersections are allowed in the section;
  - (iii)e Through intersections at the end of the section have approaches at least 50 feet long measured from the edge of the traveled way of the crossroad and are at a grade of eight percent or less; intersections requiring a full stop have approaches no less than 20 feet long at a grade of two percent or less, or no less than 50 feet long at a grade between two and six percent;
  - (iv)e Any guard rails are designed to permit the passage of plowed snow;
  - (v)e All sight distances conform to standards of the American Association of State Highway and Transportation Officials; and
  - (vi)e The section enables the development to meet, or more closely approximate, the criteria set forth in section 49.70.260.e
- (2)e *Weather.* The engineer may prohibit a developer from earthmoving during periods of very wet soil conditions, in which case the permit shall be extended by a like period.e
- (3)e *Sediment.* The developer shall not allow any increase in sediment to flow off-site during or after construction if such would be likely to cause an adverse impact on a down slope lot or waterbody.e
- (4)e *Peak discharge.* The developer shall ensure that during and after construction of major development, the peak discharge of all streams and natural drainage ways at the down slope boundary shall be no greater than that occurring prior to excavation.e

(Serial No. 87-49, § 2, 1987)

#### 49.70.260 Criteria.

The commission or director shall consider the extent to which the development meets the following criteria:

- (1)e *Soil erosion.* Soil disturbance and soil erosion shall be minimized and the effects thereof mitigated.e
- (2)e *Existing vegetation.* Depletion of existing vegetation shall be minimized.e
- (3) *Contours.* The developer shall recontour the finished grade to natural-appearing contours which are at or below 30 percent or the natural angle of repose for the soil type, whichever is lower, and which will hold vegetation.
- (4)e *Time of exposure and soil retention.* The developer shall minimize the period of time that soil is exposed and shall employ mats, silt blocks or other retention features to maximize soil retention.e
- (5)e *Replanting.* The developer shall mat, where necessary, and plant all exposed soil in grass or other soil-retaining vegetation and shall maintain the vegetation for one full growing season after planting.e
- (6)e *Drainage.* The developer shall minimize disturbance to the natural course of streams and drainage ways. Where disturbance is unavoidable, the developer shall provide a drainage system or structures which will minimize the possibility of sedimentation and soil erosion on-site and downstream and which will maintain or enhance the general stream characteristics, spawning quality, and other habitat features of the stream and its receiving waters. Where possible, development shall be designed so lot lines follow natural drainage ways.e
- (7)e *Foundations.* The developer shall ensure that buildings will be constructed on geologically safe terrain.e
- (8) *Very steep slopes.* The developer shall minimize excavation on slopes over 30 percent.
- (9)e *Soil retention features.* The developer shall minimize the use of constructed retention features. Where used, their visual impact shall be minimized through the use of natural aggregate or wood, variation of facade, replanted terraces, and the like.e
- (10)e *Wet weather periods.* The developer shall minimize exposure of soil during the periods of September 1—November 30 and March 1—May 1.e

(Serial No. 87-49, § 2, 1987; Serial No. 2015-03(c)(am), § 54, 8-31-2015)

#### 49.70.270 Conditions on approval.

The commission or director may place conditions upon a hillside development endorsement as necessary or desirable to ensure that the spirit of this chapter will be implemented in the manner indicated in the application. Fulfillment of conditions shall be certified by the engineer. The conditions may consist of one or more of the following:

- (1)e *Development schedule.* The commission or director may place a reasonable time limit on or require phasing of construction activity associated with the development or any portion thereof, in order to minimize construction-related disruption to traffic and neighbors or to ensure that the development is not used or occupied prior to substantial completion of required improvements.e
- (2)e *Dedications.* The commission or director may require conveyances of title or other legal or equitable interests to public entities, public utilities, a homeowner's association, or other common entities. The developer may be required to construct any public facilities, such as drainage retention areas, to City and Borough standards prior to dedication.e

- (3) *Construction guarantees.* The commission or director may require the posting of a bond or other surety or collateral providing for whole or partial releases, in order to ensure that all required improvements are constructed as specified in the approved plans.
- (4) *Lot size.* If justified by site topography, the commission or director may require larger lot areas than prescribed by zoning requirements.

(Serial No. 87-49, § 2, 1987; Serial No. 2015-03(c)(am), § 55, 8-31-2015 )

## ARTICLE IV. FLOOD HAZARD AREAS<sup>1</sup>

### 49.70.400 Floodplain.

- (a) *Purpose.* The purpose of this article is to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas. Other purposes are to:
- (1) Reserved;
  - (2) Prevent the erection of structures in areas unfit for human usage by reason of danger from flooding, unsanitary conditions, or other hazards;
  - (3) Minimize danger to public health by protecting the water supply and promoting safe and sanitary drainage;
  - (4) Reduce the financial burdens imposed on the community, its governmental units, and its individuals by frequent and periodic floods and overflow of lands;
  - (5) Reserved;
  - (6) Ensure that potential buyers are notified that property is in a special flood hazard area; and
  - (7) Ensure that those who occupy the special flood hazard area assume financial responsibility for their development.
- (b) *Interpretation.*
- (1) In the interpretation and application of this article, all provisions are considered minimum requirements and are liberally construed in favor of the governing body.
  - (2) This article is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where the provisions of this article and another ordinance conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
  - (3) This article shall apply to all areas of special flood hazard areas (SFHAs) within the jurisdiction of the City and Borough of Juneau.
  - (4) The special flood hazard areas identified by the Federal Insurance Administrator (FIA) in a scientific and engineering report entitled the "Flood Insurance Study" (FIS) and the flood insurance rate maps (FIRMs) dated September 18, 2020 for the City and Borough of Juneau, Alaska are adopted. The FIS and FIRMs shall be on file with the community development department and available to the public at 155 South Seward Street, Juneau, Alaska.
- (c) *Implementation.* The director is responsible for administering and implementing the provisions of this chapter and is responsible for maintaining for public use and inspection appropriate records and information relevant to implementation of this chapter. Such records and information must include:

<sup>1</sup>Cross reference(s)—Building regulations, tit. 19.

- (1)e Actual elevations, in relation to mean lower low water, of the lowest floor, including basement, of all new or substantially improved structures located in the special flood hazard area (SFHA), and whether or not such structures have basements;
  - (2)e Actual elevations, in relation to mean lower low water, of all new and substantially improved floodproofed structures and the required floodproofing certifications;
  - (3)e Flood insurance studies (FISs);
  - (4)e Flood insurance rate maps (FIRMs);
  - (5)e Any reports or studies on flood hazards in the community, such as written reports by the U.S. Army Corps of Engineers, U.S. Geological Survey, or private firms provided to the director; and
  - (6)e A file of all floodplain permit applications, permits, exceptions, and supporting documentation.
- (d)e *Enforcement.* Enforcement of this chapter is per CBJ 49.10.600—49.10.660.
- (e) *Floodplain development permit required.* A floodplain development permit is required for any development or industrial uses located within a special flood hazard area, including placement of manufactured homes. The director must:
- (1) Review all floodplain development permit applications for development in the special flood hazard area for compliance with the provisions of this chapter, and to determine if other permits may be necessary from local, state, or federal governmental agencies.
  - (2) Interpret the location of the special flood hazard area boundaries and regulatory floodway. If there appears to be a conflict between a mapped boundary and actual field conditions, the director must determine and interpret the documents. When base flood elevation data has not been provided, the director shall obtain, review, and reasonably utilize base flood elevation and floodway data available from any federal, state, municipal, or any other source to implement the provisions of this chapter.
  - (3) If the director determines that a proposed development is within a special flood hazard area, a permit fee must be collected and the following information must be provided before processing a floodplain development permit:
    - (A) Elevation of the lowest floor, including a basement, of all structures;
    - (B) Elevation to which any structure has been floodproofed;
    - (C) Certification by an engineer or architect that the floodproofing methods for any nonresidential structure meet generally accepted floodproofing standards;
    - (D) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development;
    - (E) Description of the plan for maintenance of the altered or relocated portion of the watercourse so that the flood-carrying capacity is not diminished; and
    - (F) When base flood elevation data have not been provided, the director shall obtain, review and reasonably apply any base flood elevation and floodway data available from federal, state or other sources.
- (f) *Methods of reducing losses.* In order to accomplish its purpose, this article includes methods and provisions to:
- (1) Restrict or prohibit uses that are dangerous to health, safety, and property due to water or erosion hazards, or that result in damaging increases in erosion or flood heights or velocities;

- (2)e Require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;e
  - (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
  - (4)e Control filling, grading, dredging, and other development that may increase flood damage; ande
  - (5)e Prevent or regulate the construction of flood barriers that will unnaturally divert floodwaters or that may increase flood hazards in other areas.e
- (g)e *General standards for flood hazard protection.* In special flood hazard areas the following standards apply:e
- (1)e *Anchoring.*
    - (A)e Design, modify, and anchor new construction and substantial improvements to prevent flotation, collapse, or lateral movement of the structure(s).e
    - (B)e A manufactured home must be anchored to prevent flotation, collapse, or lateral movement and be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors.e
    - (C)e An alternative method of anchoring may be used if the system is designed to withstand a wind force of 90 miles per hour or greater. Certification must be provided to the director that this standard is met.e
  - (2)e *Construction materials and methods.*
    - (A)e Construct new construction and substantial improvements with materials and utility equipment resistant to flood damage.e
    - (B)e Use methods and practices that minimize flood damage for new construction and substantial improvements.e
    - (C)e Design or locate electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities so as to prevent water from entering or accumulating within these components during conditions of flooding.e
    - (D)e Require adequate drainage paths around structures on slopes to guide floodwaters away from existing and proposed structures for new construction and substantial improvements within zones AH and AO.e
  - (3)e *Utilities.*
    - (A)e Design new and replacement water supply systems to minimize or eliminate infiltration of floodwaters into the system.e
    - (B)e Design new and replacement sanitary sewage systems to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters.e
    - (C)e Locate on-site waste disposal systems to avoid impairment to them or contamination from them during flooding.e
  - (4)e *[Subdivision and development proposal criteria.]* Subdivision and development proposals must meet the following criteria:e
    - (A)e Be designed to minimize flood damage;e
    - (B)e Locate and construct utilities and facilities, such as sewer, gas, electrical, and water systems to minimize flood damage;e

- (C)e Provide adequate drainage to reduce exposure to flood damage; and
  - (D)e Include base flood elevation data if the development consists of at least 50 lots or five acres, whichever is the lesser. If base flood elevation data is not available, the proposal must provide the data and backup information for how the base flood elevation data was generated for the proposal.
- (5)e *[Floodplain development permit requirements.]* Review of floodplain development permits must include:
- (A)e Review of the flood insurance rate map and flood insurance study for flood zone determination for new or substantially improved structures;
  - (B)e For new or substantially improved structures:
    - (i)e Submittal of the proposed and finished lowest floor elevations in zones A, AE, AO, and AH.
    - (ii)e Submittal of the proposed and finished bottom elevation of the lowest horizontal structural member of the lowest floor and its distance from the mean lower low water mark in zones V and VE; and
    - (iii)e Submittal of specific requirements for zones V and VE as set forth in subsection 49.70.400(i).
  - (C)e In zones A and V, where elevation data are not available through the flood insurance study or from another authoritative source, applications for floodplain development permit shall be reviewed to ensure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and may be based on historical data, high water marks, photographs of past flooding, and other similar or relevant data. Failure to elevate construction at least two feet above grade in these zones may result in higher insurance rates.
  - (D)e Provision of an elevation certificate to demonstrate that the lowest floor of a structure is at or above base flood elevation. The certification must be provided on a form approved by the National Flood Insurance Program and prepared by a registered land surveyor or professional engineer who is licensed in the State of Alaska and authorized to certify such information. This requirement may be waived by the director if an approved record elevation demonstrates that the lowest floor is substantially above the base flood elevation due to natural ground level.
- (6) *Other permits.* The applicant must certify that all other necessary permits have been obtained from any federal or state governmental agencies.
- (7)e *[Maintaining watercourse.]* Maintain altered or relocated portions of a special flood hazard area mapped watercourse so that the flood-carrying capacity is not diminished. The department must notify the state coordinating agency, if any, and the Federal Emergency Management Agency prior to issuance of a floodplain development permit that seeks to alter or relocate any watercourse within a special flood hazard area.
- (h)e *Specific standards for flood hazards protection.* In special flood hazard areas where base flood elevation data is provided, the following provisions are required:
- (1)e *New structures or substantial improvements.* Fully enclosed areas below the lowest floor of new construction or substantial improvements, that are useable solely for parking of vehicles, building access, or storage in an area other than a basement, must automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect licensed in the State of Alaska or must meet or exceed the following minimum criteria:

- (A)e Provide a minimum of two openings having a total net area of not less than one square inch fore every square foot of enclosed area subject to flooding;e
  - (B)e Height of the bottom of all openings must be no higher than one foot above grade; ande
  - (C)e Openings may be equipped with screens, louvers, or other coverings or devices provided that the automatic entry and exit of floodwaters is allowed.e
- (2) *Residential construction.* New construction and substantial improvement of any residential structure:
- (A)e Construct the lowest floor, including basement, elevated to or above the base flood elevation within zones A, AE, or AH; ore
  - (B) Construct the lowest floor elevated to the base flood depth number specified on the flood insurance rate map, or higher, or if no depth number is specified, at least two feet above the highest adjacent natural grade within zone AO.
- (3) *Manufactured homes.* New or substantially improved manufactured homes must:
- (A)e Be placed at or above, the base flood elevation, within zones A, AH, or AE, and shall be elevatede to, or above, the base flood elevation, and comply with subsection (g); ore
  - (B)e Elevate the lowest floor to the depth number specified on the flood insurance rate map, ore higher, or if no depth number is specified, at least two feet above the highest adjacent naturale grade within zone AO; and meet the provisions of subsection (g)(1).e
- (4)e *Recreational vehicles.* Recreational vehicles placed within any special flood hazard area must be:
- (A) Situated on the site for fewer than 180 consecutive days;
  - (B)e Fully licensed, operational, and approved for road use; ore
  - (C)e Meet the requirements of subsection (h)(3).e
- (5)e *Nonresidential construction.* New construction or substantial improvement of any nonresidential structure must:
- (A)e Elevate the lowest floor, including basement, to or above the base flood elevation within zones A, AE, and AH;e
  - (B)e Elevate the lowest floor to the depth number specified on the flood insurance rate map, ore higher, or if no depth number is specified, at least two feet above the highest adjacent naturale grade within zone AO; ore
  - (C)e Floodproof the area below the base flood elevation within zones A, AE, AH, and AO, so that:
    - (i)e The structure and utility and sanitary facilities are watertight with walls substantiallye impermeable to the passage of water;e
    - (ii)e Structural components shall have the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;e
  - (D)e A floodproof structure must be designed by an engineer or architect licensed in the State ofe Alaska, certifying that the design and methods of construction are in accordance with acceptede standards of practice for meeting provisions of this subsection based on the engineer's ore architect's development or review of the structural design, specifications, and plans. Certificatione must be provided to the director;e
  - (E)e Applicants proposing to floodproof nonresidential buildings must be notified at the time ofe floodplain development permit application that flood insurance premiums are based on ratese that are one foot below the floodproofed level.e



- (6)e *Industrial uses.* Industrial uses within the special flood hazard area are subject to the following provisions:
  - (A)e Sand and gravel operations, recreation activities, open space, and parking lots may be allowed in 100-year floodplains if the use does not increase the flood hazard.
  - (B) Industrial equipment and raw materials stored in 100-year floodplains must be adequately bermed or otherwise protected.
  - (C)e Disposal of hazardous materials in 100-year floodplains is prohibited. No new development that involves storage of hazardous materials will be permitted in the 100-year floodplain unless there is no feasible and prudent alternative and adequate safety measures are provided to prevent accidental discharge.
  - (D)e Establishment of sanitary landfills in floodplains is prohibited.
- (7)e *Increasing water surface elevation in special flood hazard area mapped watercourses where floodways are not mapped.* Notwithstanding any other provisions of this article, development in zones A, AE, and AH may increase the water surface elevation of the base flood:
  - (A) Up to one foot with the submittal of an analysis completed by an engineer licensed in the State of Alaska demonstrating the cumulative effects of the proposed, existing and anticipated, development to the base flood; or
  - (B)e By more than one foot only after a conditional letter of map revision and final letter of map revision is approved by the Federal Emergency Management Agency flood insurance administrator.
- (i)e *Additional provisions in floodways.*
  - (1)e Residential and nonresidential structures are prohibited in floodways, no exceptions apply. Culverts and bridges are not subject to this prohibition.
  - (2)e Encroachments, including fill, new construction, and other development, except subdivisions, within a floodway are prohibited unless an engineer licensed in the State of Alaska submits a hydrologic and hydraulic analyses to the director indicating that the encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge. The hydrologic and hydraulic analyses must be performed in accordance with standard engineering practice acceptable by the Federal Emergency Management Agency.
  - (3)e Development along a floodway cannot increase the water surface elevation unless a conditional letter of map revision and final letter of map revision that revises the floodway are approved by the Federal Emergency Management Agency.
- (j)e *Additional provisions in zones VE and V.*
  - (1)e New construction and substantial improvements in zones V and VE must be elevated on pilings and columns so that:
    - (A)e The bottom of the lowest horizontal structural member of the lowest floor, excluding the pilings or columns, is elevated to or above the base flood elevation; and
    - (B)e The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values must each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval). Wind loading values used are those required by applicable state statute and local code. A registered professional engineer or architect licensed in the State of Alaska must develop or review these

structural design, specifications, and plans for the construction and must certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of subsections (j)(1)(A) and (B) of this section.

- (C)e The use of fill for structural support of buildings is prohibited.e
- (2)e In zones VE and V, new habitable construction must be located landward of the reach of mean high tide.e
- (3)e In zones VE and V, new construction and substantial improvements must have the space below the lowest floor either free of obstruction or constructed with nonsupporting breakaway walls, open wood lattice work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system.e
- (4)e Breakaway walls must have a design safe loading resistance of not less than ten pounds per square foot and no more than 20 pounds per square foot. Use of breakaway walls that exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or state codes) may be permitted only if a registered professional engineer or architect licensed in the State of Alaska certifies that the designs proposed meet the following conditions:e
  - (A) Breakaway wall collapse must result from a water load less than that which would occur during the base flood; and
  - (B)e The elevated portion of the building and supporting foundation system must not be subject to collapse, displacement, or other structural damage due to the effects of wind and water load acting simultaneously on all building components (structural and nonstructural). Maximum wind and water loading values to be used in this determination must each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval). Wind loading values used shall be those required by applicable state statute and local code.e
  - (C)e Enclosed space within breakaway walls are limited to parking of vehicles, building access, or storage. Such space must not be used for human habitation.e
- (k)e *Warning and disclaimer of liability.* The degree of flood protection required by this article is intended for minimum regulatory purposes only and is based on general scientific and engineering principles. Floods larger than expected, can and will occur. Flood heights may be increased by human or natural causes. This article does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the City and Borough, any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision made thereunder.e

(Serial No. 87-49, § 2, 1987; Serial No. 90-46, §§ 2—9, 1990; Serial No. 2013-19(b), § 2, 7-15-2013 ; Serial No. 2020-42, § 2, 8-24-2020, eff. 9-23-2020 ; Serial No. 2021-06, § 2, 4-26-2021, eff. 5-26-2021)

#### **49.70.410 Exceptions.**

- (a)e The planning commission shall hear all applications for an exception from the provisions of this article, and are limited to the powers granted in this article and those necessarily implied to ensure due process and to implement the policies of this article.e
- (b)e In passing upon such application, the planning commission must consider all technical evaluations, relevant factors, standards specified in other sections of this article, and:e

- (1)e The danger that materials may be swept onto other lands and cause injury to other persons or property;e
  - (2)e The danger to life and property due to flooding or erosion damage;e
  - (3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - (4) The importance of the services provided by the proposed facility to the community;
  - (5)e The necessity to the facility of a waterfront location, where applicable;e
  - (6)e The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;e
  - (7)e The compatibility of the proposed use with existing and anticipated development;e
  - (8)e The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;e
  - (9)e The safety of access to the property in times of flood for ordinary and emergency vehicles;e
  - (10) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
  - (11)e The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.e
- (c)e Exceptions may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing subsections (b)(1)—(b)(11) of this section have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the exception increases.e
- (d)e Upon consideration of the factors of subsection (b) of this section and the purposes of this article, the commission may deny or grant the application and may attach such conditions to the grant of an exception as it deems necessary to further the purposes of this article.e
- (e)e Exceptions may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the state inventory of historic places, without regard to the procedures set forth in the remainder of this section.e
- (f)e Exceptions must not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.e
- (g)e Exceptions must only be issued upon a determination that the exception is the minimum necessary, considering the flood hazard, to afford relief.e
- (h)e Exceptions must only be issued upon:e
- (1)e A showing of good and sufficient cause;e
  - (2)e A determination that failure to grant the exception would result in exceptional hardship to the applicant; ande
  - (3)e A determination that the granting of an exception will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances or conflict with existing local laws or ordinances.e
- (i)e Reserved.e

- (j) **Warning and disclaimer of liability.** The degree of flood protection required by this article is intended for minimum regulatory purposes only and is based on general scientific and engineering principles. Floods larger than expected, can and will occur. Flood heights may be increased by manmade or natural causes. This article does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the City and Borough, any officer or employee thereof, or the Federal Insurance Administration for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

(Serial No. 87-49, § 2, 1987; Serial No. 90-46, § 10, 1990; Serial No. 2021-06, § 3, 4-26-2021, eff. 5-24-2021)

## ARTICLE III. TRAFFIC<sup>1</sup>

### 49.40.300 Applicability.

- (a)e A traffic impact analysis (TIA) shall be required as follows:e
- (1)e A development projected to generate 500 or more average daily trips (ADT) shall be required to have a traffic impact analysis.e
  - (2)e A development projected to generate fewer than 250 ADT shall not be required to have a traffic impact analysis.e
  - (3)e 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.e
  - (4) The applicant shall provide the traffic projections for the project, and the department will review and approve the final figures.
  - (5)e A TIA must be prepared by a licensed engineer, or a transportation planner, with traffic analysis experience, approved by the director.e
- (b)e The department shall require the applicant to contact the Alaska Department of Transportation and Public Facilities to determine whether a state permit or TIA will be required.e

(Serial No. 2008-01, § 2, 1-28-08)

### 49.40.305 Traffic impact analysis (TIA) requirements.

- (a)e A TIA prepared under this section must identify and assess the impacts of the proposed development on all affected transportation systems. The TIA shall identify any effective development design or operational measures that would mitigate impacts of a development on transportation systems. The study area for the TIA shall be that area in which it is anticipated that the proposed development will increase ADT by five percent or more.e
- (b)e A TIA must forecast traffic generated by a development in accordance with the most recent edition of the Institute of Traffic Transportation Engineers' Trip Generation Handbook.e
- (c)e A TIA must address the following items:e
- (1)e Intersections and segments of roadways where the ADT on any approach to an intersection is anticipated to increase by five percent or more due to the proposed development;e

<sup>1</sup>Editor's note(s)—Serial No. 2008-01, § 2, adopted January 28, 2008, effective February 28, 2008, repealed former Art. III, §§ 49.40.300, 49.40.310 and enacted provisions designated as a new Art. III to read as herein set out.

Cross reference(s)—Traffic, CBJ Code tit. 72.

- (2)e Each driveway or approach road that will allow egress from or ingress to the proposed development;
  - (3)e Existing and proposed pedestrian and bicycle facilities, if any, within the proposed development, and existing and proposed pedestrian and bicycle facilities to be used for access to the proposed development;
  - (4)e Projected traffic at the development's anticipated opening date, and at full build out, both with and without the traffic generated by the development;
  - (5)e Locations where road improvements are necessary to mitigate traffic impacts due to the development at the opening date, or where improvements are necessary to prevent the level of service (LOS) from deteriorating further at the opening date without the development;
  - (6)e Road improvement alternatives or other measures that will achieve an acceptable LOS or minimize degradation of service below an already unacceptable LOS according to section 49.40.310 Traffic; minimum standards;
  - (7)e Internal circulation and parking plans; and
  - (8)e An accident analysis that contains the following elements:
    - (A)e An accident diagram showing accidents over the most recent three years of accident data, at all intersections or roadway segments identified as being impacted by the development, using the State of Alaska Department of Transportation's accident database, if available.
    - (B)e An analysis of the type of accidents.
    - (C)e An analysis of the accidents to determine if any pattern exists, and whether the accident pattern will be impacted by the development.
    - (D) If an accident pattern exists that will be exacerbated by the development, a determination whether there is a cost-effective solution which would mitigate the problem and how it can be implemented.
  - (d)e Level of service (LOS) and operational analysis for a traffic impact analysis prepared under this section must be performed in accordance with the most recent edition of the Transportation Research Board's publication Special Report 209, Highway Capacity Manual.
- (Serial No. 2008-01, § 2, 1-28-08)

**49.40.310 Traffic; minimum standards.**

- (a)e The minimum acceptable LOS for a roadway segment or intersection within the area affected by the development, on the projected opening date of the development, or full build out of the development, is LOS D.
- (b)e If an intersection or roadway segment affected by the development has a pattern of accidents resulting in personal injuries, and the development will aggravate this accident pattern, then mitigation shall be required, regardless of the projected LOS.

(Serial No. 2008-01, § 2, 1-28-08)

**49.40.320 Traffic impact analysis review.**

- (a)e The department will review the traffic impact analysis prepared under this section.

- (b)e Mitigation measures may be subject to financial guarantee pursuant to Chapter 49.55, if appropriatee considering safety and scheduling.e

(Serial No. 2008-01, § 2, 1-28-08)

#### 49.40.330 Traffic impact mitigation.

- (a)e Except as provided in 49.40.340, an applicant shall make improvements to a roadway or intersection to e achieve or maintain an acceptable LOS if a roadway or intersection has an:e
- (1)e LOS D without traffic generated by the development; and would drop below LOS D with traffic generated by the development at the opening date of the development or full build out;e
  - (2)e If a roadway has an LOS below D without traffic generated by the development at the opening date of the development; ore
  - (3)e If the intersection or roadway segment has a pattern of accidents resulting in personal injuries, and the development would aggravate this accident pattern, then mitigation shall be required regardless of the LOS.e
- (b) An applicant for a project for which a traffic impact analysis report has been prepared and mitigation required, shall install signs and markings on approaches to roadways within the development that conform to the Manual on Uniform Traffic Control Devices and the Alaska Traffic Manual, 2003, described in 17 AAC 20.950(1), as it may be amended from time to time.
- (c) Internal circulation and parking layout must provide sufficient queuing distance within the development between the roadway and internal restrictions to ensure that no traffic backs up onto a roadway, including bicycle or pedestrian facilities (See Section 49.40.230 Parking and circulation standards).
- (d)e If a traffic impact analysis discloses impacts to pedestrian or bicycle traffic, an applicant shall make the necessary improvements to mitigate the impact.e

(Serial No. 2008-01, § 2, 1-28-08)

#### 49.40.340 Mitigation waiver.

- (a)e The planning commission or community development department director may, in their discretion, waive ore partially waive the requirements for mitigation under this section if the planning commission finds at a public hearing, or the director finds in writing after reviewing a permit which does not require planning commission approval, that either of the following circumstances is true:e
- (1) (A) Existing roadway facilities are only marginally achieving an LOS D without the traffic generated by the development, and would likely fall below LOS D within five years;e
    - (B)e Traffic generated by the development would result in an LOS below D without mitigation; ande
    - (C)e The costs of mitigating the impacts outweighs the benefits; ore
  - (2) (A) If the LOS is below D, before the development's opening date;e
    - (B)e If the operation of the roadway or intersection, within the affected area, would not deterioratee more than five percent in terms of delay time, a minimum LOS, LOS E may be acceptable;e
    - (C)e Does not result in an LOS below E; ande
    - (D)e The costs of mitigating the impacts outweighs the benefits.e

(Serial No. 2008-01, § 2, 1-28-08)



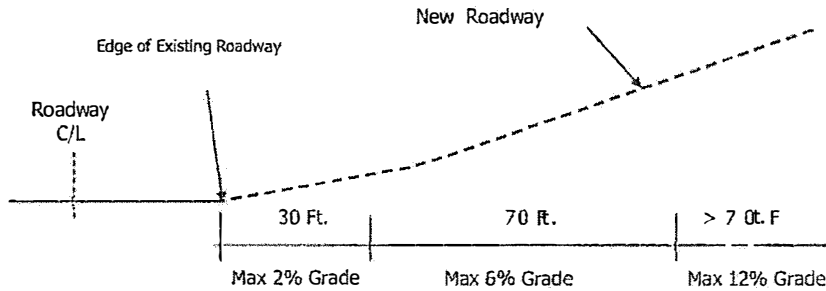
#### 49.35.240 Improvement standards.

- (a)e *Right-of-way widths.* The minimum right-of-way width of proposed streets is as follows:e
- (1)e Arterials: 100 feet; minor, 80 feet.e
  - (2)e Collectors: 60 feet.e
  - (3)e Streets other than arterials and collectors: 60 feet.e
  - (4)e Cul-de-sacs: temporary or permanent turnaround: a diameter of 120 feet.e
  - (5)e Alleys: 20 feet.e
  - (6)e Stairways and other non-motorized access routes: 15 feet.e
  - (7)e Half streets. Whenever there exists a dedicated or platted half street or alley adjacent to the tract of land to be developed, the other half of the street or alley must be platted, dedicated, and the entire street or alley constructed to current improvement standards.e
  - (8)e Substandard width. Any previously platted right-of-way with less than the minimum standardse identified for the traffic generated shall be improved to meet the minimum requirements establishede by this title.e
- (b)e *Right-of-way minimum width reductions.* The director may reduce minimum right-of-way widthe requirements:e
- (1)e For a collector, the right-of-way width may be reduced by up to ten feet.e
  - (2)e For streets with less than 500 average daily trips, or a privately maintained access road in a right-of-way, the width may be reduced by up to 25 feet.e
  - (3)e Where the dedicated right-of-way abuts and runs parallel to an exterior property line, will serve as a half-street, and will be developed as a low volume street or a driveway in a right-of-way, the width may be reduced by up to 30 feet.e
  - (4)e Alleys and stairway right-of-ways may be reduced by up to five feet.e
  - (5)e The director shall make written findings supporting right-of-way minimum width reductions grantede under this section. The director's findings shall state that:e
    - (A)e The applicant has provided room for electric utility features and demonstrates that if the road is upgraded in the future to include additional sidewalks that there is sufficient right-of-way for construction of the sidewalks without need for retaining walls over two feet in height.e
    - (B)e There is sufficient right-of-way or easements to allow for drainage improvements required by construction of the sidewalks.e
    - (C) That any driveways shall be constructed to accommodate the elevations of future sidewalks.
    - (D) No additional right-of-way width will be required in order to provide for sufficient access to abutting lands.
    - (E) There is sufficient room for snow storage.e
- (c)e *Sight distance.* Sight distances for intersection, passing and stopping must be in accordance with the specifications set forth in "A Policy on Geometric Design of Highways and Streets".e
- (d) *Street grades.* Street grades are as follows:

- (1) *Maximum.* Grades on arterial streets must not exceed six percent. Grades on other streets must not exceed 12 percent.
- (2) *Minimum.* The minimum grade for all streets is one-half percent.
- (3) *Cross slope.* The minimum cross slope on all streets is three percent.
- (4) *Exception.* Grades for all streets in hillside areas may be increased under certain circumstances according to chapter 49.70, article II, hillside development.

(e) *Intersections.*

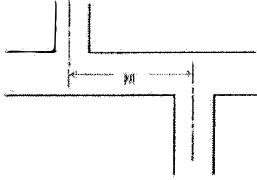
- (1) *Corner sight distance.* Corner sight distance must be in accordance with CBJ 49.35.240, however, in no case shall the sight distance be less than 200 feet.
- (2) *Intersection angle.* Intersections of right-of-way lines must not be less than 60 degrees. The intersection of the centerline of the constructed roadway must not be less than 80 degrees.
- (3) *Grade.* The grade for the approach leg of a new roadway at an intersection must not exceed two percent for the first 30 feet, measured from the edge of the existing roadway. The grade for the next 70 feet of the new roadway must not exceed six percent (See Figure 1).



Maximum Grades at the Intersection of a New Roadway

Figure 1

- (4) *Adjustment to grade.* In certain circumstances, the director of engineering and public works may require the centerline grade to be adjusted to ensure the grades along the edge of the intersecting street do not exceed the maximum grades listed above.
- (5) *Alignment.* A proposed street that will intersect with an existing cross street shall, whenever practicable, align with an existing street intersection on the opposite side of the cross street. Street jogs that have center line offsets of less than 100 feet, shall not be permitted (See Figure 2).



Street jogs shall be no less than 100' apart, measured from the center of the street.

**Figure 2**

(f)e *Curves.*

- (1)e *Design.* Curves shall be designed in accordance with "A Policy on Geometric Design of Highways and Streets."e
- (2)e *Vertical curve.* The minimum length of vertical curves is 200 feet unless otherwise approved by the director of engineering and public works.e

(g) *Cul-de-sacs.*

- (1)e *Length.* Streets designed to have one end permanently closed shall be no more than 600 feet and not less than 150 feet in length measured from the center of the intersection to the radius point of the turnaround. The director for minor subdivisions, and the commission for major subdivisions, may authorize a longer or shorter cul-de-sac if it is found that the unique characteristics of the site warrant modification to the length.
- (2) *Temporary cul-de-sacs.* Temporary cul-de-sacs will be allowed where a street can practically be extended to provide for connecting streets into an adjoining undeveloped land, is located in a right-of-way or in an easement for public access, and if the following are met:e
  - (A)e The temporary portions of the cul-de-sac shall be easements on the plat rather than as dedicated right-of-way. Such easements shall allow for public access and maintenance as if it were dedicated right-of-way until such time the easements are vacated. The easements shall not contribute towards lot area.
  - (B)e All of the cul-de-sac must be constructed to permanent street construction standards except as noted in (G) below.e
  - (C)e The CBJ will record a release of the easements for the temporary portions of the cul-de-sac at the state recorder's office at Juneau at the time the cul-de-sac is removed and the street improvements have been extended.e
  - (D)e Easement lines for the temporary cul-de-sac will be considered front property lines for determining building setbacks.e
  - (E)e All improvements, including utilities and private driveways, must be designed to accommodate the eventual extension of the street and reversion of the temporary cul-de-sac to adjoining

properties. The construction plans shall demonstrate those improvements connecting through a temporary cul-de-sac will still comply with CBJ standards after the temporary cul-de-sac is removed.

- (F) Temporary cul-de-sacs must provide required access and minimum frontage on a publically maintained right-of-way to all lots using the cul-de-sac as access. If the cul-de-sac is not extended to the adjoining property, the maximum length of an unconstructed right-of-way between the temporary cul-de-sac and the adjoining property shall be the minimum lot width for the zoning district. If the right-of-way is located in more than one zoning district, the shortest minimum lot width shall be used. The right-of-way between the constructed temporary cul-de-sac and the adjoining property shall be subject to the stub street requirements of this Title (See Figure 3).

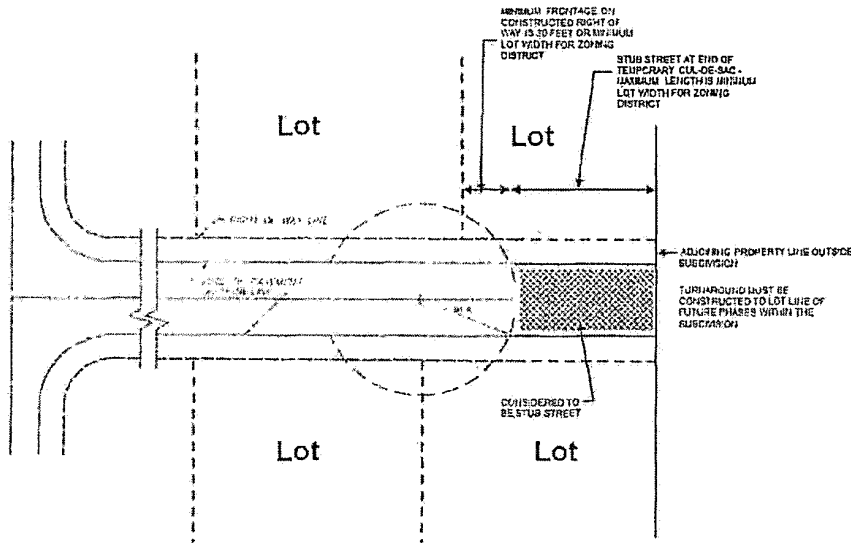


Figure 3

- (G) The temporary cul-de-sac may be located on property within the subdivision intended for future subdivision phases in conjunction with a platted right-of-way. It may also be located outside the subdivision boundary entirely within an easement (See Figure 4). If the temporary cul-de-sac is constructed on property outside of the subdivision boundary, then curb, gutter, and sidewalks are not required for the temporary cul-de-sac.

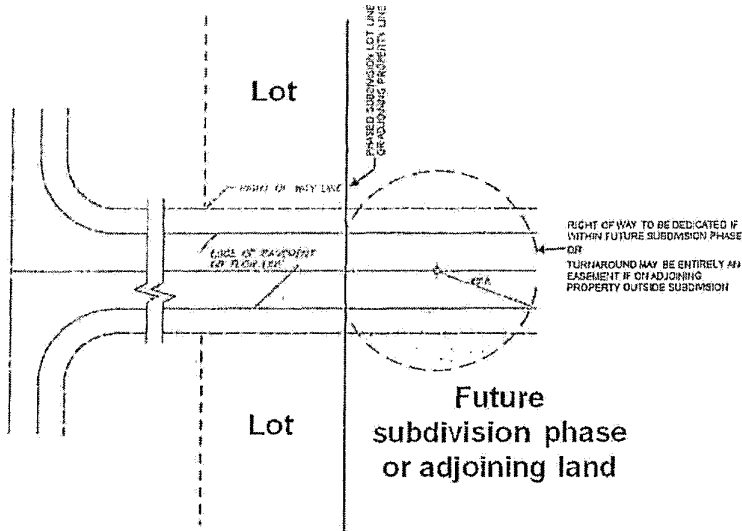


Figure 4

- (H) The plat shall include the following note "Temporary cul-de-sac easement shall be vacated upon extension of street unless the director determines all or a portion of the cul-de-sac may remain."
- (I) When the developer of adjoining property is required to connect to the temporary cul-de-sac, the temporary portions of the cul-de-sac shall be removed. The director, after considering public safety, costs, and recommendations of the director of engineering and public works department and of the fire marshal, shall determine if the developer may leave all or part of the temporary portions of the cul-de-sac. If any temporary cul-de-sac portion is removed, then the resulting constructed right-of-way shall conform to CBJ standards.
- (3) *Hammerhead turnarounds.* Hammerhead turnarounds may be built in lieu of a temporary cul-de-sac, upon approval by the director of engineering and public works.
- (h) *Streets construction standards.*
  - (1) *Arterials.* The subdivider is not responsible for the construction of arterial streets, but may be required to dedicate the necessary right-of-way during the platting process.
  - (2) *Other streets.* Other than arterials, street shall comply with the following:

Table 49.35.240 Table of roadway construction standards

Avg. Daily Trips (ADT)	Adopted Traffic Impact Analysis Required	Sidewalks	Travel Way Width	Street Lights	Width	Paved Roadway Required	Publicly Maintained

≥ 500	Yes	Both sides	26 ft.	At all intersections	60 ft. Public ROW <sup>ii</sup>	Yes	Yes
212 to 499	Maybe	One side	24 ft.	At all intersections	60 ft. Public ROW <sup>ii</sup>	Yes	Yes
0 to 211	No	Not required	22 ft.	At intersection of subdivision streets and external street system	60 ft. Public ROW <sup>ii</sup>	Yes	Yes
0 to 211	No	Not required	20 ft. <sup>i</sup>	At intersection of subdivision streets and external street system	60 ft. Public ROW <sup>ii</sup>	No, if outside the urban service area	No
0 to 70	No	Not required	20 ft. <sup>i</sup>	No	50 ft. private easement	No <sup>iii</sup>	No

<sup>i</sup> Or as required by the Fire Code at CBJ 19.10.

<sup>ii</sup> ROW width may be reduced as prescribed at CBJ 49.35.240.

<sup>iii</sup> Except as provided by CBJ 49.35.262(b)(9).

- (3)e *Signs and markings.* The subdivider must install street name signs, traffic control signs, and traffic control pavement markings in accordance with approved plans and the requirements of the current issue of the Manual on Uniform Traffic Control Devices, including the current Alaska Traffic Manual Supplement, published by the Alaska Department of Transportation and Public Facilities.e
- (i)e *Street waivers.* The director, after considering the recommendations of the director of the engineering and public works department and of the fire marshal, may waive the following and no other street improvement requirements:e
- (1)e *Right-of-way relocation.* If a plat is submitted for the purpose of relocating a right-of-way, the director may waive all or some of the construction requirements under the following conditions:e
- (A)e The proposed relocation will improve access to abutting or neighboring property not otherwise adequately served.e
  - (B)e The subdivider has provided sufficient engineering information to demonstrate to the director of engineering and public works the feasibility of constructing a public street at the location of the relocated right-of-way.e
  - (C)e The relocated right-of-way and the resulting subdivision layout will conform to all the other standards of this chapter.e
  - (D)e The improvements required in the new right-of-way will not be less than those in the existing right-of-way.e
  - (E)e No additional lots are being platted.e

(2)e *Stub streets.*

- (A) The director for minor subdivisions and the commission for major subdivisions may waive the full construction of a roadway within a right-of-way that is required to provide access to a bordering property, and does not provide required access to any lot within the subdivision. A developer requesting a stub street waiver shall demonstrate in the construction plans that a street can reasonably be constructed to CBJ standards in the right-of-way. The commission or director may require provision of a roadbed, utility line extensions, or other appropriate improvements (See Figure 5).

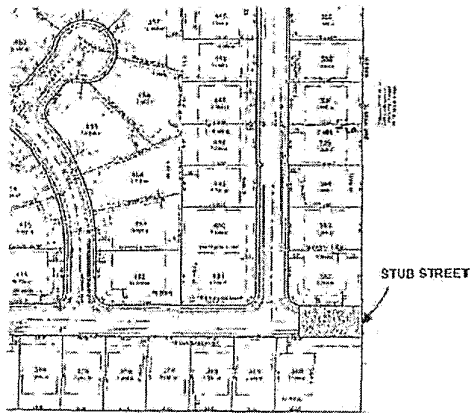


Figure 5

(B)e Reserved.e

- (C)e When the developer of adjoining property is required to connect to the stub street, then the developer of the adjoining property will be required to construct the stub street to City and Borough standards at the time.e

- (3)e *Remote subdivisions accessible by navigable water.* The commission and the director may waive roadway improvements and other street construction requirements for remote subdivisions accessed solely by navigable water.e

- (4)e *Roadway construction standards waivers.* Roadway construction standards identified in Table 49.35.240 may be waived in accordance with this subsection for any street reconstruction project, note including routine maintenance; or any new street construction project located in a right-of-way platted before 1987. Waivers shall be in writing.e

(A)e Roadway construction standards may be waived by the director if:e

- (i)e The existing roadway does not comply with the roadway construction standards identified in Table 49.35.240.e
- (ii)e There are unique circumstances that make compliance with the requirements of the table unreasonable.e
- (iii)e The proposed project will not aggravate the intent of the requirements of this chapter; and
- (iv)e The proposed project complies with the American Association of State Highway and Transportation Officials' guidelines.e

- (B) Roadway construction standards may be waived by the commission if:
- (i) The existing roadway does not comply with the roadway construction standards identified in Table 49.35.240;
  - (ii) There are unique circumstances that make compliance with the requirements of the table unreasonable;
  - (iii) ~~The proposed project will not aggravate the intent of the requirements of this chapter; and~~
  - (iv) Unique circumstances make compliance with the American Association of State Highway and Transportation Officials' guidelines unreasonable, and the commission requires sufficient safeguards to protect public health, safety, and welfare under the circumstances.

- (j) *Pioneer path standards.* The following standards shall apply to remote subdivisions accessed by pioneer paths.
- (1) Interior access shall be provided solely by pioneer path in a right-of-way. The right-of-way width of a pioneer path within a remote subdivision shall be 60 feet.
  - (2) Grades for pioneer paths must not exceed 18 percent. The maximum cross slope grade must not exceed five percent.
  - (3) The width of a pioneer path shall not exceed 54 inches of tread, and must be located within a six-foot corridor.
  - (4) Pioneer paths shall be designed and constructed to prohibit vehicular traffic wider than 48 inches from using the path, which may include the use of boulders, bollards, or any other similar structure.
- (k) *Responsibility for improvements.* Unless otherwise provided, it shall be the responsibility of the subdivider to pay the cost of all right-of-way and street improvements caused by any development, as determined by the director.

(Serial No. 87-49, § 2, 1987; Serial No. 88-30, § 2, 1988; Serial No. 2002-20, § 5, 8-5-2002; Serial No. 2006-15, § 8, 6-5-2006; Serial No. 2010-41, § 2, 1-10-2011; Serial No. 2015-03(c)(am), § 27, 8-31-2015 ; Serial No. 2016-26(b), 4-3-2017, eff. 5-4-2017 ; Serial No. 2018-08, § 2, 3-5-2018, eff. 4-5-2018 ; Serial No. 2019-08, § 2, 4-22-2019, eff. 5-23-2019 )



**49.15.423 Panhandle lots.**

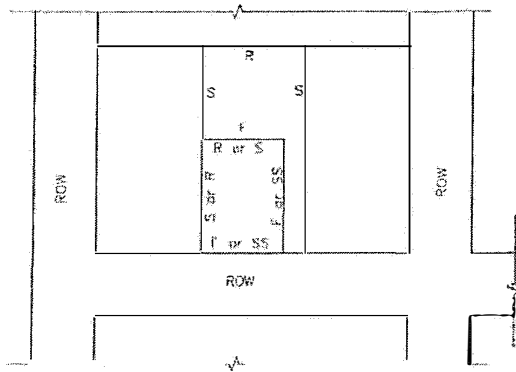
(a)e Panhandle lots may be created by subdivision under this section if the new lots meet the following requirements:e

(1)e *Dimensional requirements.*

- (A)e The front and panhandle lots must meet all the dimensional and area requirements of this title.e
- (B)e No part of the panhandle portion of the lot shall be less than 20 feet wide.e
- (C)e The panhandle portion of the lot shall not be longer than 300 feet.e
- (D)e No buildings are allowed to be built or placed in the panhandle portion of the lot.e
- (E)e In a D-1 zoning district, 30 feet of the width of the panhandle of the rear lot may be used in determining the width of the front lot.e
- (F)e The lot width for the panhandle lot shall be the distance between its side lot lines measured behind the back lot line of the front lot.e

(2)e *Setbacks*

- (A)e A lot fronting on a right-of-way may establish a front yard setback or a street side yard setback adjoining the right-of-way or the panhandle. (See Figure 1)e
- (B)e The front yard setback for the panhandle lot shall be measured from behind the back lot line of the front lot. (See Figure 1)e



LEGEND:  
 F - FRONT  
 R - REAR  
 ROW - RIGHT OF WAY  
 S - SIDE  
 SS - STREET SIDE

**Figure 1**

(3) *Access and parking.*

- (A)e Access for the lots shall be located in the panhandle. A lot fronting a right-of-way may have a separate and additional access if approved by the government entity that controls rights-of-way. Access to each lot shall be designated on the plat in the form of an easement.e

- (B) Off-street parking shall be provided in an amount sufficient to meet the requirements of CBJ 49.40, article II.
  - (C) A driveway and parking plan that shows the feasibility of off-street parking shall be submitted and approved by the director prior to recording the plat.
  - (D) Back out parking is prohibited unless approved by the director.
  - (E) The applicant must provide assurance in the form of an easement, plat note referencing the maintenance agreement, and a maintenance agreement that is recorded with the subdivision, on forms acceptable to the director, ensuring the required access and parking areas will be constructed and maintained by all future property owners.
  - (F) Any portion of a driveway not located in a public right-of-way shall comply with emergency service access as required by CBJ 19.10. A profile of the proposed driveway centerline shall be submitted as part of the plat application, and must meet Alaska Department of Transportation and Public Facilities or CBJ driveway standards, as appropriate based on ownership of the right-of-way.
  - (G) Existing driveways and access points not meeting the requirements of this section must be abandoned, and improvements thereto removed and relocated prior to plat recordation.
  - (H) The portion of the driveway in the right-of-way or the first 20 feet from the edge of the public roadway shall be paved, whichever length is greater.
- (b) No lot resulting from a panhandle subdivision may be further divided into another panhandle subdivision.  
( Serial No. 2015-03(c)(am), § 10, 8-31-2015 ; Serial No. 2017-25, § 2, 11-6-2017, eff. 12-7-2017 ; Serial No. 2021-28 , § 3, 8-23-2021, eff. 9-22-2021)

## Applicant Information

### Business / Individual \*

Gary Tigar Grant Creek Homes

### Address \*

1765 Palo Verde Blvd S.

Street Address

Lake Havasu City

City

AZ

State / Province / Region

86403

ZIP / Postal Code

### Phone \*

(928) 568-1097

### Email

garytigar@stcglobal.net

Add Another Business/Individual

### Business / Individual - 2 \*

Murray Walsh Walsh Planning & Development Services

### Address \*

2974 Foster ave

Street Address

Juniata

City

AK

State / Province / Region

99801

ZIP / Postal Code

Attachment A - Application Packet

Attachment A- Application Packet

Phone \*

(907) 723-8444

Email

murray@acs.alaska.net

## CBJ Land Information

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

Site Address \*

4305 North Douglas Highway and the 8 acre parcel to the south



Legal Description \*

USS 2135 TR 1 TRA

Provide Brief Description of Your Proposal \*

To trade a portion of the Applicant's property to the CBJ in exchange for a portion of CBJ-owned land above USS 2135 TR 1 TRA as shown on the attached drawing. The newly configured property will then be subdivided for small single family homes on small lots.

Provide a Map of CBJ Land you wish to Purchase \*

Grant-Crk-Ph-III-7142021-TradeMap.pdf  

Have you mailed the \$500.00 filing fee? \*

Yes

Not Yet

Applications can only be processed when the \$500 fee is received. All checks are made out to "The City and Borough of Juneau" and can be sent to:  
*The City and Borough of Juneau*  
*Attn: Lands and Resources Division*  
*155 S. Seward St.*  
*Juneau, AK 99081*

"By submitting this form, I agree all information is accurate. Submission of this request is NOT approval by the City and Borough of Juneau. I understand that staff will review my application and follow up with questions. Once staff have reviewed my application, ultimate determination of my request to purchase City property will be made by the City Assembly."

Legal Representative of Business / Individual \*

Gary  
First

WTIgar  
Last

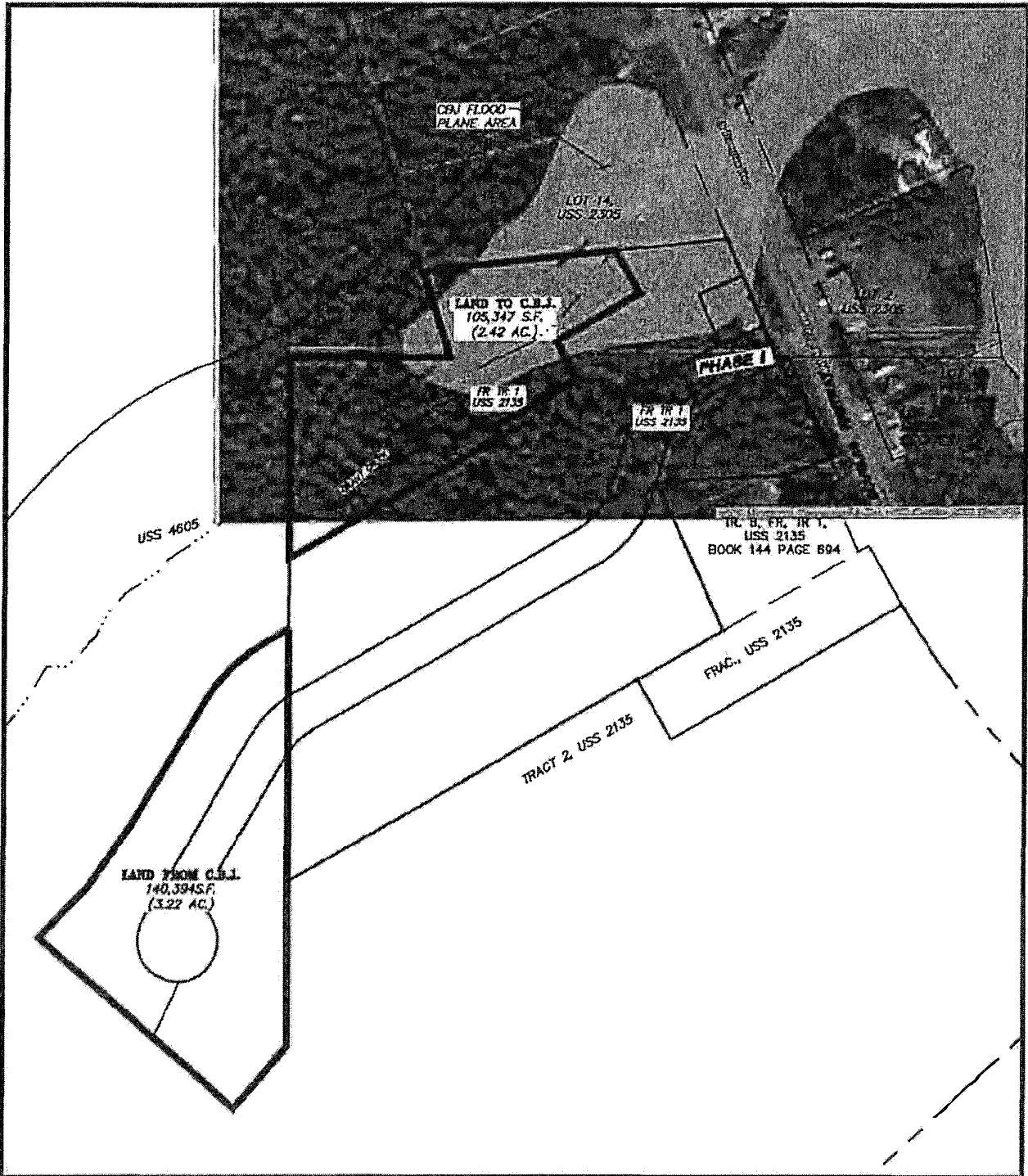
Legal Representative of Business / Individual -2 \*

Murray  
First

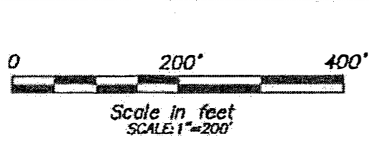
Walsh  
Last

Attachment A - Application Packet

Attachment A- Application Packet



9/03/2020 14:30:08 PM AST  
 EN:GDH\WALSH\GRANT CREEK\GRANT CRK PH-III-714262.DWG

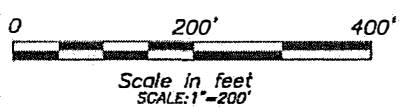
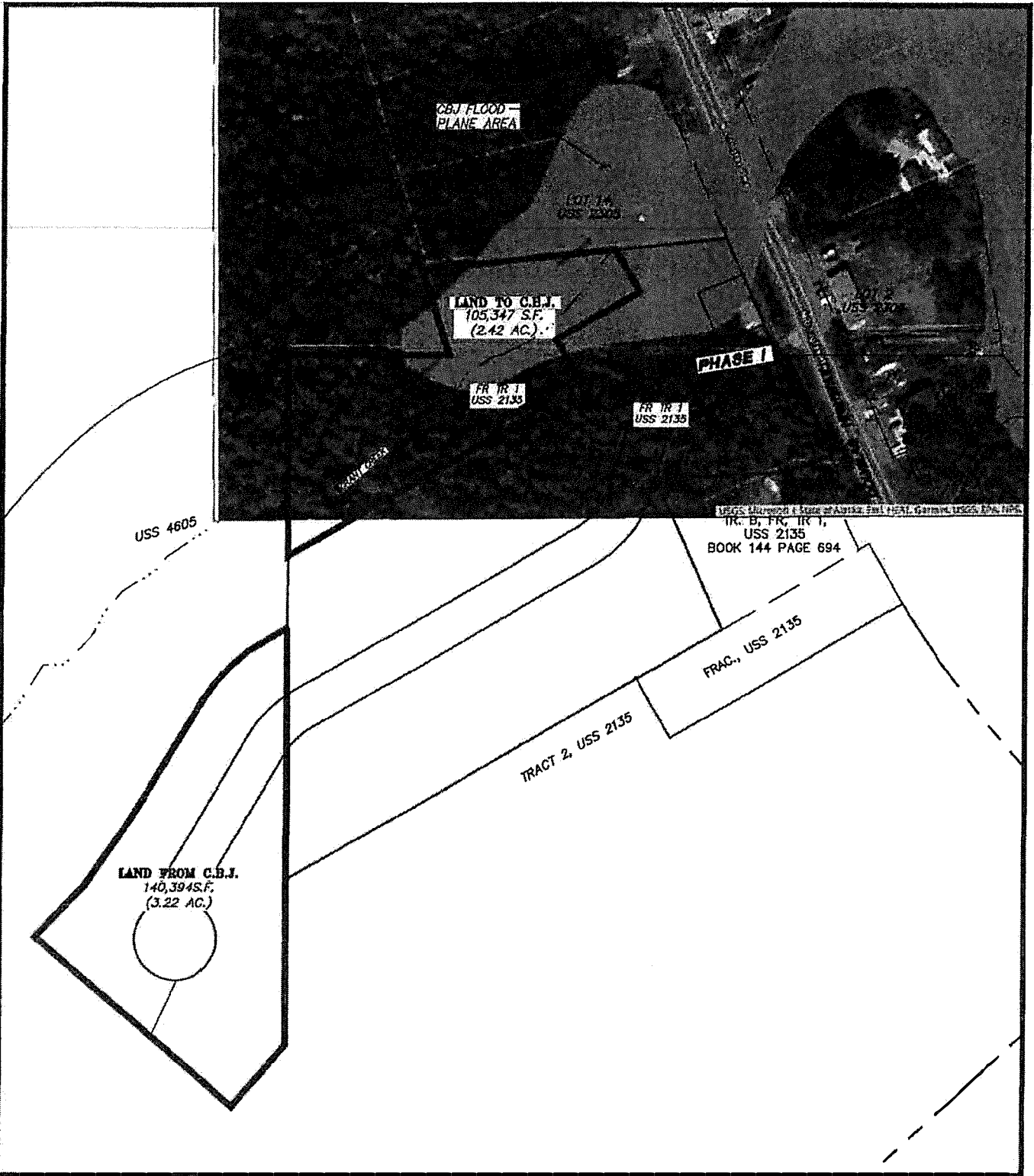


**A PLAT**  
**FOR PROPOSED LAND TRADE**  
**BETWEEN GRANT CREEK HOMES**  
**AND THE CITY AND BOROUGH OF**  
**JUNEAU, ALASKA**

DRAWN BY: GDM GRAPHICS      DATE: 9/03/2021

**WALSH PLANNING & DEVELOPMENT**

ENEDM\WALSH\GRANT CREEK\GRANT CRK PH-I&II-7142021.DWG 9/03/2020 14:308 PH AST



**A PLAT  
FOR PROPOSED LAND TRADE  
BETWEEN GRANT CREEK HOMES  
AND THE CITY AND BOROUGH OF  
JUNEAU, ALASKA**

DRAWN BY: CDM GRAPHICS DATE: 9/03/2021

WALSH PLANNING & DEVELOPMENT

# Lands, Housing & Economic Development Committee

May 02, 2022



Attachment A - Application Packet

Attachment A- Application Packet

# Grant Creek Homes Request to Purchase City Property through a Land Trade

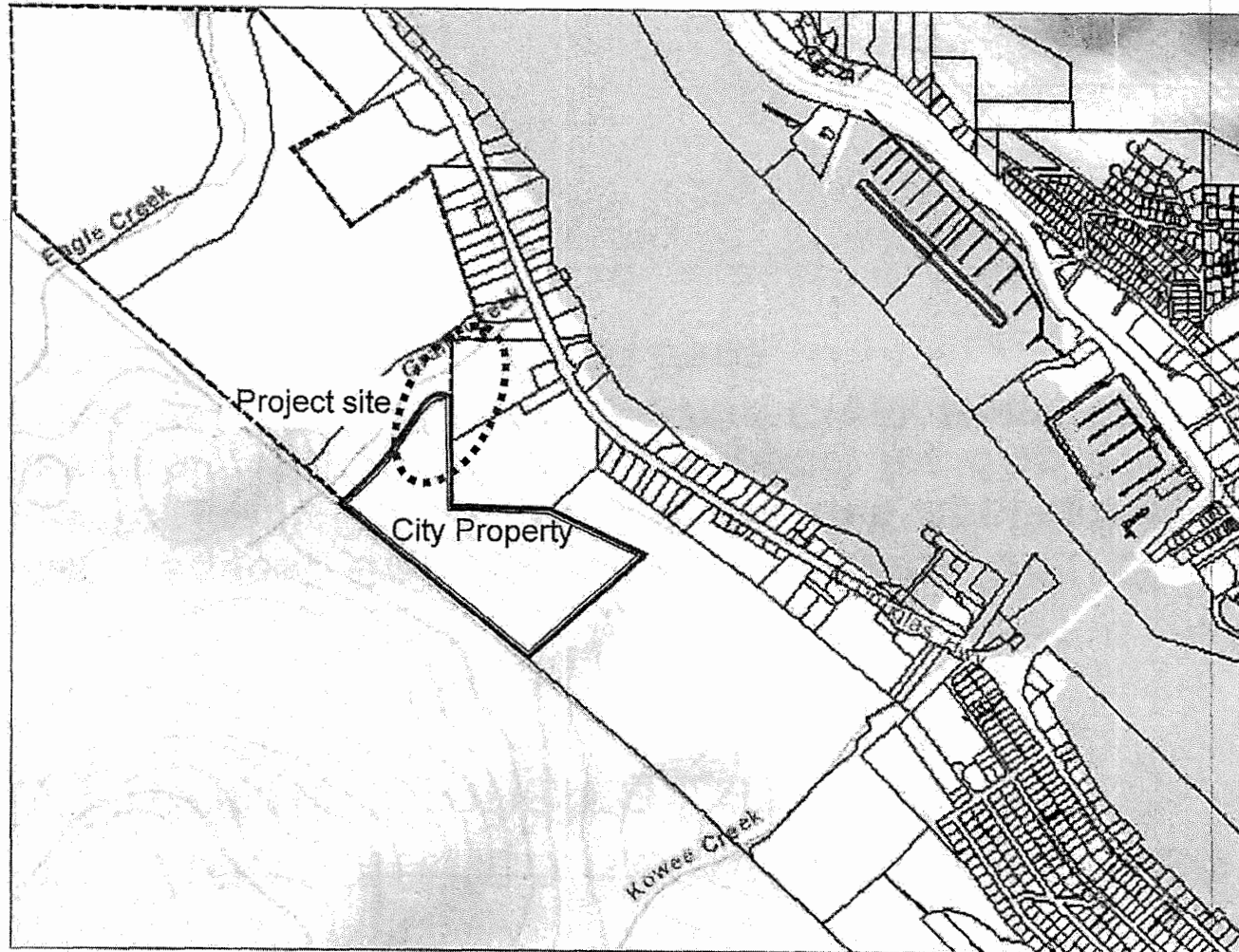
- The Lands Office has received a request for a land trade from Gary Tigar and Grant Creek Homes.
- The applicant is requesting to sell the City a 105,347 square foot area of property that is within the floodplain and buy a City owned 140,394 square foot uplands parcel. Both values would be determined by appraisal.
- The application states that the newly configured property would be subdivided into small single family lots.



## Grant Creek Homes Request to Purchase City Property through a Land Trade

- The City property being requested in this application is a fraction of a 654-acre parcel in North Douglas. The location is southeast of Bonnie Brae Subdivision and Falls Creek, Eagle Creek and Grant Creek run through this property. The Land Management Plan designates this property as retain/dispose, and it is managed by the Lands Office.





Attachment A -Application Packet

Attachment A- Application Packet

# Grant Creek Homes Request to Purchase City Property through a Land Trade

**Staff request that the Lands, Housing and Economic Development Committee forward this application to the Assembly with a motion of support for disposal of City property to Gary Tigar and Grant Creek Homes through a negotiated disposal or land trade.**

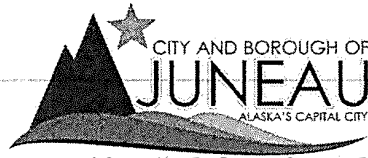
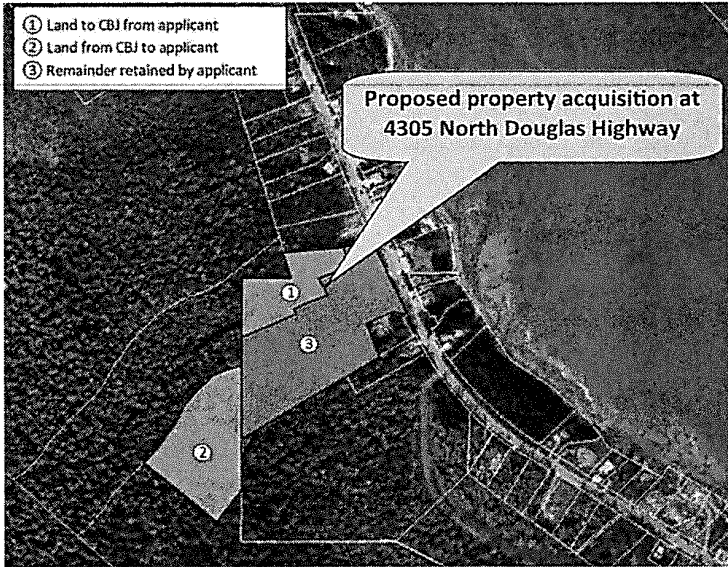


Attachment A - Application Packet

Attachment A- Application Packet

# Invitation to Comment

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



COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for a **property acquisition and disposal review of land by the City and Borough of Juneau at 4305 North Douglas Highway** in a D18 & D5 zone.

## TIMELINE

Staff Report expected to be posted **August 15, 2022**, at <https://juneau.org/community-development/planning-commission>  
 Find hearing results, meeting minutes and more here as well.

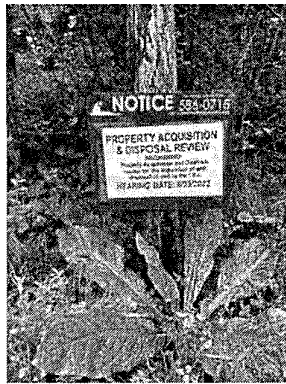
Now through Aug. 1	Aug. 2 — noon, Aug. 19	HEARING DATE & TIME: 7:00 pm, Aug. 23, 2022	Aug. 24
Comments received during this period will be sent to the Planner, <b>Joseph Meyers</b> , to be included as an attachment in the staff report.	Comments received during this period will be sent to Commissioners to read in preparation for the hearing.	This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting <a href="https://juneau.zoom.us/j/82017306873">https://juneau.zoom.us/j/82017306873</a> and use the Webinar ID: 820 1730 6873 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above).  You may also participate in person in City Hall Assembly Chambers, 155 S. Seward Street, Juneau, Alaska.	The results of the hearing will be posted online.

### FOR DETAILS OR QUESTIONS,

Phone: (907)586-0753 ext. 4209 ♦  
 Email: [pc\\_comments@juneau.org](mailto:pc_comments@juneau.org)  
 Mail: Community Development, 155 S. Seward St, Juneau AK 99801

Case No.: PAD2022 0002  
 Parcel No.: 6D0601130010; 6D0601110020;  
 6D0611000010  
 CBJ Parcel Viewer: <http://epv.juneau.org>

Printed July 19, 2022.



**From:** [Mark Millay](#)  
**To:** [Joseph Meyers](#); [John Bohan](#); [General Engineering](#)  
**Subject:** RE: Agency Review  
**Date:** Thursday, July 14, 2022 9:29:39 AM

---

Hello,

Depending on the development configuration, grades for fire access may be a future issue as well. Otherwise no heartburn issues with the land swap here.

Thanks Mark

**From:** Joseph Meyers <[Joseph.Meyers@juneau.org](mailto:Joseph.Meyers@juneau.org)>  
**Sent:** Thursday, July 14, 2022 9:24 AM  
**To:** John Bohan <[John.Bohan@juneau.org](mailto:John.Bohan@juneau.org)>; General Engineering <[General\\_Engineering@juneau.org](mailto:General_Engineering@juneau.org)>  
**Subject:** RE: Agency Review

Thank you John,

I am reaching out to the applicant now to make sure that he is aware of these potential issues. Thank you for your diligence on this!

**From:** John Bohan <[John.Bohan@juneau.org](mailto:John.Bohan@juneau.org)>  
**Sent:** Wednesday, July 13, 2022 10:18 AM  
**To:** Joseph Meyers <[Joseph.Meyers@juneau.org](mailto:Joseph.Meyers@juneau.org)>; General Engineering <[General\\_Engineering@juneau.org](mailto:General_Engineering@juneau.org)>  
**Subject:** RE: Agency Review

Hi Joseph,

I was reading through the PAC minutes / summary and noticed that there was vague wording about needing to address adequate water pressure and "may require additional upgrades to the existing water system".

Am concerned that the developer is not fully aware that they **WILL NOT have water pressure above roughly 100' above the highway** (per attached information provided to Ken Hoganson in preparation for the PAC). The LIDAR shows that all the new property being potentially traded to the owner would not meet required water pressures for Fire hydrant protection or residential water pressure.

Also while we are not supposed to worry how the developer is going to build on the property, a concern I see is regarding the steepness of the upper portion of the proposed land CBJ land for purchase and the proposed roadway going "straight up the hill". Based on LIDAR, it has slopes in the 30%-40+% range. The approximate land slopes between Nowell and Blueberry Hills road is about 25%, so while buildable, the parcel is not nearly as wide, nor does it appear the parcel is wide enough to accommodate a roadway (switchback or sidehill) at a grade similar to Cordova Street

Attachment C - Agency Comments

Attachment A- Application Packet

(12% or so). (Fairbanks Street (~15%) is a good summer street but closed in the winter due to the extreme grades.) It is not likely the CBJ would accept a street with substandard grade for maintenance.

I don't have any issues with the specific land disposal, just the constructability of the development as proposed.

**Mark, Eric** – are there any other issues you see with this proposed land disposal / development?

*Thanks*

*John Bolan, PE*

CBJ Chief CIP Engineer

155 S. Seward St

Juneau AK 99801

(907)586-0800 x-4188

fax 463-2606

**From:** Joseph Meyers <[Joseph.Meyers@juneau.org](mailto:Joseph.Meyers@juneau.org)>

**Sent:** Tuesday, July 12, 2022 1:08 PM

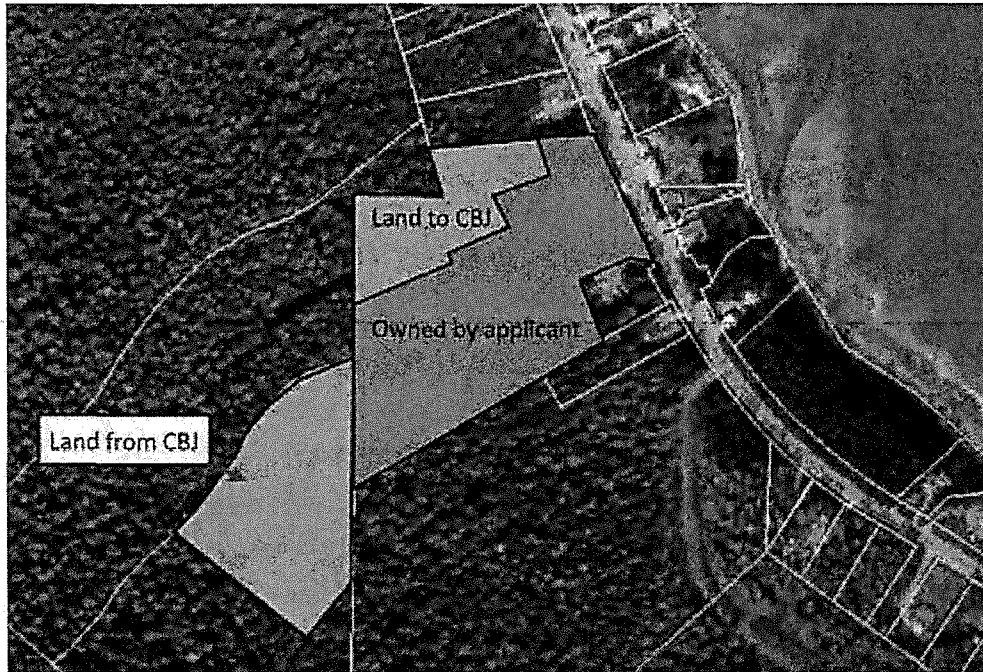
**To:** General Engineering <[General\\_Engineering@juneau.org](mailto:General_Engineering@juneau.org)>

**Subject:** Agency Review

Good afternoon,

I am seeking comment from your department on a proposed land acquisition and land disposal on North Douglas Highway. The application for this action is attached.

The proposed project is outlined below:



The applicant would like to purchase 140,394 square feet from the CBJ and would like to sell 105,347 square feet of land to the CBJ. The land being sold to the CBJ is currently owned by the applicant.

The parcel numbers related to this transaction: 6D0601110020, 6D0601130010, 6D0611000010, and 6D0611000011.

Please submit comments and questions about the proposed land purchase and disposal by replying to this email by July 26, 2022.

Thank you,

**Joseph Meyers | Planner II**

Community Development Department | City & Borough of Juneau, AK

230 S. Franklin Street, 4<sup>th</sup> Floor Marine View Building

Personal line: 907.586.0753; Ext: 4209

He/him



Attachment C - Agency Comments

Attachment A- Application Packet



July 27, 2022

Dear Juneau Planner

RE: case no.: PAD2022 0002

I'm assuming this 'land acquisition' is proposed for future construction and remove waterway land from the current property owner.

Background: The parcels contain both Grants Creek salmon creeks. In accordance with the Alaska Watershed Coalition and CBJ, require landowners living next to a salmon stream, adhere to no structures within 50 ft and an undisturbed vegetation duffer of 25 feet to any such waterway as a bare minimum riparian buffer. However, more ecologic value is gained with each additional foot of buffer. I (adjacent landowner) have documented abundant wildlife adjacent to this parcel including deer, bear, porcupines, ravens & eagles. An EIS would be prudent prior to any development.

The CBJ water and sewer services end at this parcel. During the installation of these services, a section of muskeg has encountered at that location. I don't believe a wetlands permit is required but This is a noteworthy observation. If the land acquisition is for a 'proposed' D18 development.

If so, Please consider the following prior to land development:

- 1.e Salmon waterway setbacks.e
- 2.e Maybe an EIS will be required.e
- 3.e Consider an upgrade to the current utilities.e
- 4.e With the addition of a future development there will be an increase traffice congestion, a traffic assessment is warranted. Note the presence of an access roade for the already 'clear cut' property to the south.e

There may be additional considerations upon future development due to this acquisition.

Thank you for your consideration and attention to these matters.

Michael Higgs  
4225 North Douglas

RECEIVED  
AUG 01 2022

Permit Center/CDD Attachment D - Public Commentse

Attachment A- Application Packet

Presented by: The Manager  
Introduced: 04/26/2010  
Drafted by: J.W. Hartle

**ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA**

**Serial No. 2010-14am**

**An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of U.S. Survey 2135, Tract 1, Tract A, U.S. Survey 2135, Tract II, and U.S. Survey 2305, Lot 15, Located in North Douglas, Currently Zoned D-3, to D-18.**

WHEREAS, the Comprehensive Plan of the City and Borough supports denser residential zoning adjacent to transit corridors; and

WHEREAS, the Comprehensive Plan identifies this area of North Douglas as both Low Density Residential (UDLR) and Urban Low Density Residential transition to Medium Density Residential (UDLR (T) MDR); and

WHEREAS, MDR is described as urban residential lands for multi-family dwelling units at densities ranging from 5 to 20 units per acre; and

WHEREAS, D-18 zoning provides for up to 18 units per acre.

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

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

**Section 2. Amendment to the Official Zoning Map.** The Official Zoning Map of the City and Borough adopted pursuant to CBJ 49.25.110, is amended to change the zoning of U.S. Survey 2135, Tract 1, Tract A, U.S. Survey 2135, Tract II, and U.S. Survey 2305, Lot 15, currently zoned D-3, to D-18. The rezone described is shown on the attached Exhibit A map illustrating the area of proposed zone change.


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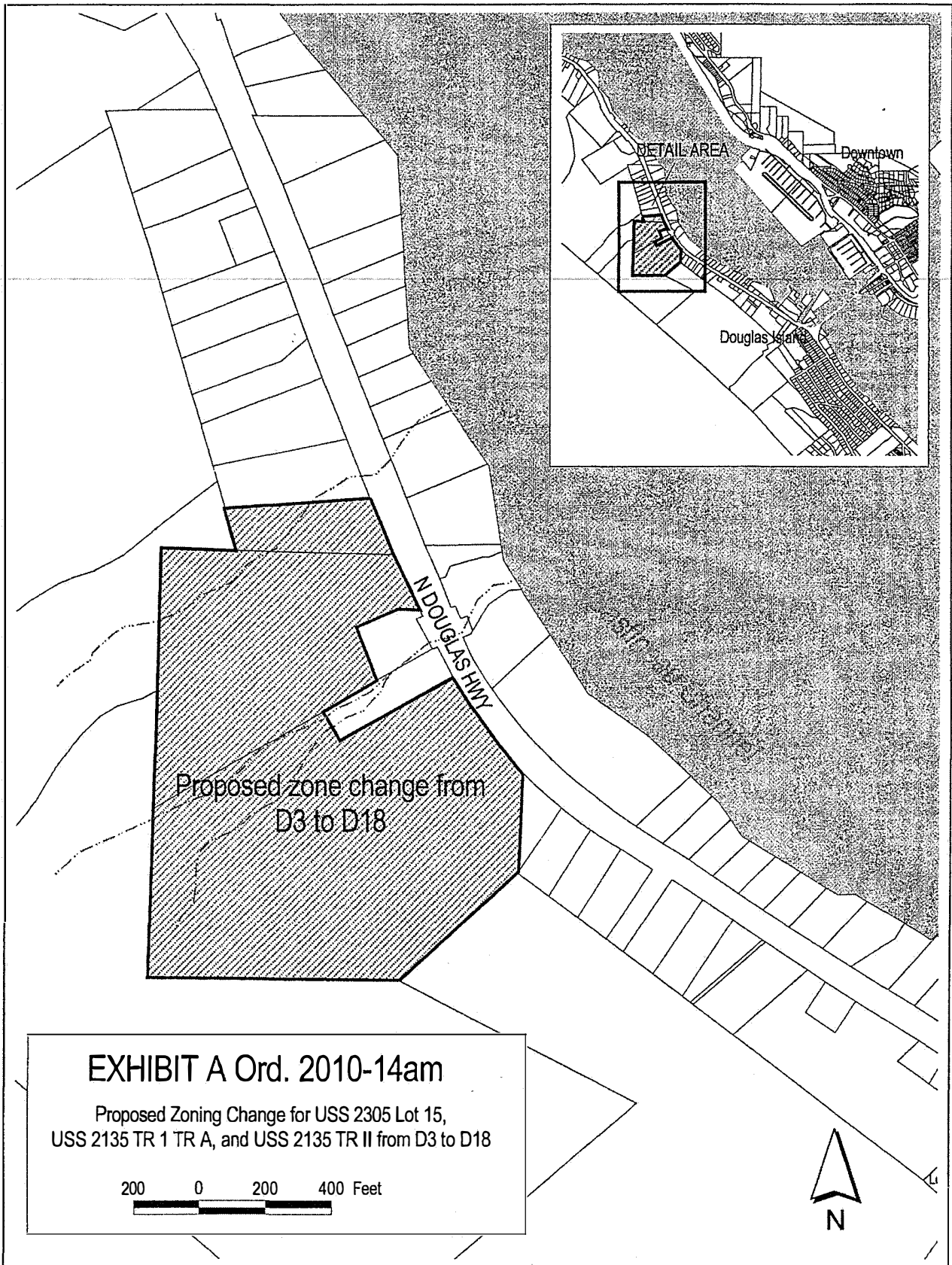
**Section 3. Effective Date.** This ordinance shall be effective 30 days after its adoption.

Adopted this 19<sup>th</sup> day of May, 2010.

  
Bruce Botelho, Mayor

Attest:

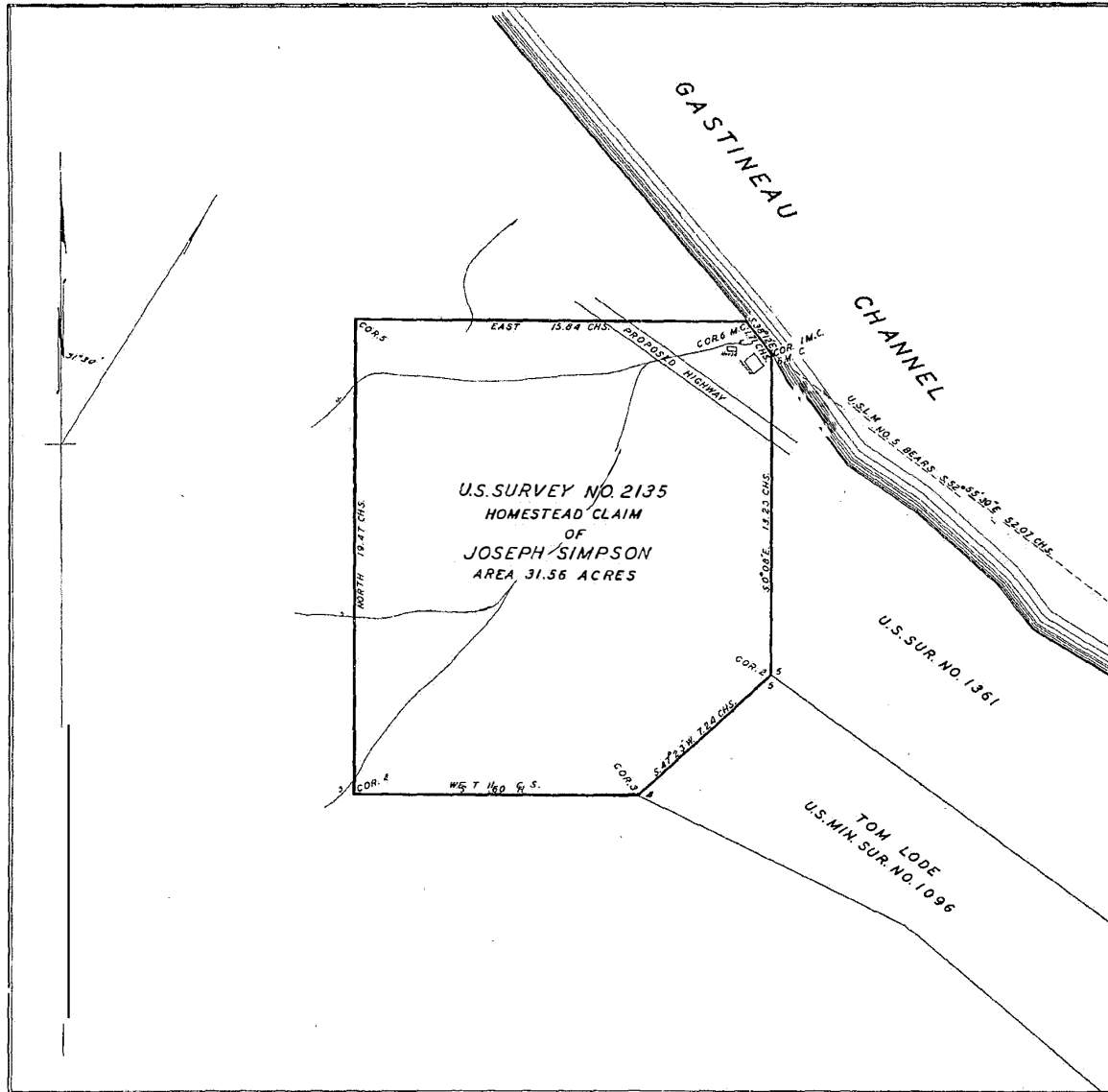
  
Laurie J. Siga, Clerk



Map created 3/22/2010, revised 4/21/2010, revised 5/21/2010

(4-653)

ORIGINAL



PLAT  
of  
U.S. SURVEY NO. 2135  
of the  
HOMESTEAD CLAIM  
of  
JOSEPH SIMPSON

Executed under the Act of Congress,  
Approved JUNE 20, 1918

situated

ON DOUGLAS ISLAND ON GASTINEAU CHANNEL WEST  
OF AND ADJOINING U.S. SURVEY NO. 1361

TERRITORY OF ALASKA

Area: 31.56 acres  
Declination: 3° 30' E  
Scale: 3 chains to the inch

Latitude 56° 16' N. Longitude 134° 26' W.

Survey executed by

CHARLES P. SEELYE, U.S. TRANSITMAN

AUGUST 19-20, 1932

CERTIFICATE OF APPROVAL  
PUBLIC SURVEY OFFICE  
Juneau, Alaska, MAY 16, 1933

The original field notes of Survey No. 2135, of the  
HOMESTEAD CLAIM OF JOSEPH SIMPSON  
from which this plat has been made, have been examined  
and approved, and are on file in this office, and I hereby  
certify that they furnish such an accurate description of  
said claim as will, if incorporated into a patent, serve fully  
to identify the premises, and that such reference is made  
therein to natural objects and permanent monuments, as  
will perpetuate and fix the locus thereof.  
And I further certify that this is a correct plat of  
said claim, made in conformity with said original field  
notes of the survey thereof, and the same is hereby approved.

*Charles P. Seelye*  
Cadastral Engineer in Charge

DEPARTMENT OF THE INTERIOR  
GENERAL LAND OFFICE  
Washington, D.C., Dec. 18, 1933.

The survey represented by this plat having been correctly  
executed in accordance with the requirements of  
law and the regulations of this office, is hereby accepted.

*J. H. ...*

Acting Assistant Commissioner.

Attachment E - Reviewed Materials

Attachment A - Application Packet



203283

80-5W

CITY AND BOROUGH OF JUNEAU, ALASKA

PLATTING RESOLUTION NO. 714

WHEREAS, Applicant(s)

KENNETH PRICE

has applied to the City and Borough of Juneau Planning Commission in proper form for a waiver of platting requirements of the subdivision of the following described real property:

DESCRIPTION OF FRACTIONS OF TRACT 1, SUBDIVISION OF A FRACTION OF USS 2135

Tract A. A fraction of Tract 1, Subdivision of a Fraction of USS 2135, within the First Judicial District, State of Alaska, more particularly described as follows: Beginning at Corner No. 5 of USS 2135; thence East along line 5-6 of said survey 730.17 ft. to the R.O.W. line of the North Douglas Highway; thence along said R.O.W., S 23°30' E, 160.00 feet; thence S 66°30' W, 64.12 feet; thence S 87°00' W, 198.16 feet; thence S 24°13' E, 239.52 feet; thence S 60° W, 733.84 feet to a point on line 4-5 of USS 2135; thence North along said line 4-5 768.04 feet to the point of beginning, containing in all 8.785 acres, more or less.

Tract B. A fraction of Tract 1, Subdivision of a Fraction of USS 2135, within the First Judicial District, State of Alaska, more particularly described as follows: Beginning at the intersection of the west R.O.W. of the North Douglas Highway and line 5-6 of USS 2135, from whence Cor. 5 of USS 2135 bears West, 730.17 feet distant; thence S 23°30' E along said R.O.W. 160.00 feet to the true point of beginning of this tract; thence S 23°30' E along said R.O.W. 36.60a feet; thence S 66°30' W along said R.O.W. 20.00 feet; thence S 23°30' E along said R.O.W. 14.20 feet; thence S 25°22' E along said R.O.W. 93.17 feet; thence S 60° W, 231.25 feet; thence N 24°13' W, 239.52 feet; thence N 87° E, 198.16; thence N 66°30' E, 64.12 feet to the true point of beginning, containing in all 0.989 acre, more or less.

An easement for the purpose of widening, improving or protecting Grant Creek, which runs along the southerly boundary of said Tracts A and B.

according to the attached plat, sketch or diagram.

WHEREAS, the Commission finds that the proposed conveyance: (a) is not being made for the purpose of or in connection with a present or projected subdivision development; (b) is an isolated transaction which does not fall within the general intent of Title 40, Chapter 15, Alaska Statutes; and (c) does not involve or require any dedication of a street, alley thoroughfare, park or other public area.

BE IT RESOLVED BY THE CITY AND BOROUGH PLANNING COMMISSION AS THE PLATTING AUTHORITY FOR THE CITY AND BOROUGH OF JUNEAU, ALASKA:

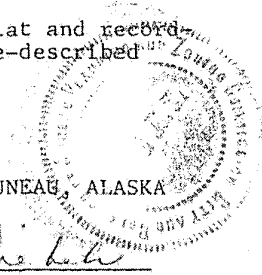
The said application for a statutory waiver of plat and recording requirements to a proposed conveyance of the above-described property is hereby granted.

Dated June 13, 1978

CITY AND BOROUGH OF JUNEAU, ALASKA PLANNING COMMISSION

By: [Signature] Chairman

Attest [Signature] Clerk



Attachment E - Reviewed Materials

Attachment A- Application Packet



# Alaska Department of Fish and Game

## Search nominations



State of Alaska  
Department of Fish and Game  
Sportfish Division

Nomination Details For  
Anadromous Waters Catalog  
Nomination Number 06-507

Region: Southeastern  
Upper Reach Latitude 0.0000  
Lower Reach Latitude 0.0000  
AWC Water body # 111-40-10910

USGS Quad: Juneau B-2  
Longitude 0.0000 (NAD83/WGS84)  
Longitude 0.0000 (NAD83/WGS84)  
AWC Water body Name Grant Creek

### Observations

Species	Date Observed	Activity
coho salmon (anadromous)		Present

**Comments:** Jackie Timothy (HBIV) and Sheila Cameron (HBII) verified that Grant Creek is not anadromous above the Douglas Highway, on Monday, June 26, 2006. The ADF&G Juneau Fish Habitat Assessment states "A series of falls about 0.6 mile upstream from the mouth are believed to be a barrier to upstream migration" (Mike Bethers, 1995, page 53). The culvert under the Douglas highway is above the series of falls and is perched about five feet. We set minnow traps below the culvert during our field visit and caught several three-spine stickleback. We found a dead juvenile Dolly Varden near the mouth of Grant Creek. Will collect lat and long info later this week.

**Name of Observer:** Jackie Timothy  
**ADFG Biologist:**  
**Nomination Changes To The AWC**

**Submission Date:** 09/25/06  
**Nomination Status:** Change

Region Map(quad) AWC Stream #	Stream Name	Action Taken	Species*	Comments
Southeastern JUNEAU B-2 SE 111-40-10910	Grant Creek	Shortening existing upper reaches		Deleted upper portion of stream
Southeastern JUNEAU B-2 SE 111-40-10910	Grant Creek	Adding barrier to stream		Added barrier to stream representing a series of falls .6 mile from the mouth

This nomination is available as a PDF.



06-507.pdf

View the [area map for JUNEAU B2SE](#) (2,448 KB)

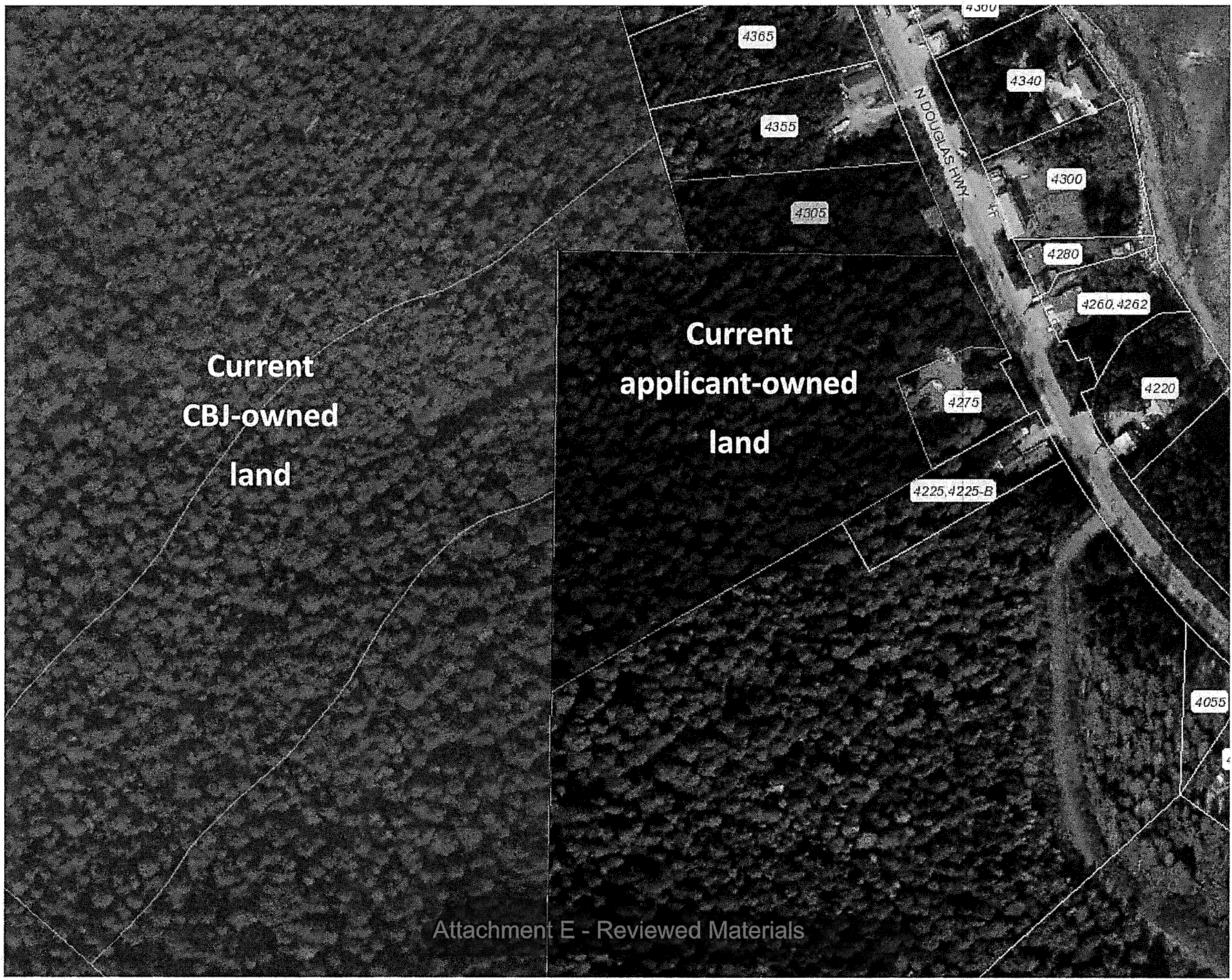
### \*Species Codes:

AC - Arctic char	AW - Arctic cisco	AL - Arctic lamprey
BW - Bering cisco	BC - broad whitefish	K - chinook salmon
CH - chum salmon	CO - coho salmon	CT - cutthroat trout
DV - Dolly Varden	OU - eulachon	HW - humpback whitefish
SF - inconnu	LP - lamprey, undifferentiated	LC - least cisco
OL - longfin smelt	PC - Pacific lamprey	P - pink salmon
OP - pond smelt	OM - rainbow smelt	LV - river lamprey
SM - smelt, undifferentiated	S - sockeye salmon	SH - Steelhead trout
ST - sturgeon, undifferentiated	W - whitefish, undifferentiated	

### \*Activity Codes:



s - spawning   r - rearing   p - present   m - migration



Attachment E - Reviewed Materials







Attachment E - Reviewed Materials

Attachment A- Application Packet



**ORIGINAL**

57

Form 4-679  
(January 1963)

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

**FIELD NOTES**

OF

**U.S. SURVEY NO. 4605**

**SITUATED**

**ON THE NORTHEASTERLY SIDE OF DOUGLAS ISLAND**

**APPROXIMATELY ONE MILE NORTHWEST OF JUNEAU**

**ADJOINING U.S. SURVEY NO. 471, U.S. SURVEY NO. 3174,**

**U.S. SURVEY NO. 3173, U.S. SURVEY NO. 3172,**

**U.S. SURVEY NO. 3171, U.S. SURVEY NO. 3159,**

**U.S. SURVEY NO. 2960, MINERAL SURVEY NO. 2225,**

**U.S. SURVEY NO. 2433, U.S. SURVEY NO. 2305,**

**U.S. SURVEY NO. 2135, MINERAL SURVEY NO. 1096,**

**MINERAL SURVEY NO. 1072 AND U.S. SURVEY NO. 2393**

**IN**

**GEOGRAPHIC POSITION OF CORNER NO. 1**

**LATITUDE 58° 19' 11" N., LONGITUDE 134° 30' 02" W.**

Of the \_\_\_\_\_ Meridian,

In the State of **ALASKA**

**EXECUTED BY**

**CLIFFORD L. MCKAY, SUPERVISORY CADASTRAL SURVEYOR**

Under special instructions dated **OCTOBER 12**, 19 **62**, which provided for the surveys

**U.S. Survey**  
included under **CHS** Number **4605**, approved **OCTOBER 12, 1962**,

and assignment instructions dated **OCTOBER 15**, 19 **62**.

Survey commenced **OCTOBER 17**, 19 **62**

Survey completed **OCTOBER 22**, 19 **62**

## U.S. SURVEY NO. 4605

CHAINS

Survey commenced October 17, 1962 and executed with a W. and L. E. Gurley Transit, Serial No. 541397, of which the horizontal plate is read by double opposite verniers to single minutes of arc, which is also the least count of the vernier of the vertical circle. After satisfactory tests the instrument was found free from appreciable error.

All measurements are made with a 1/8 in. steel tape, 5.00 chs. long, graduated in links throughout, with the first 10 links graduated in tenths of a link. The tape was compared with a 66 ft. standard steel tape and found correct. For all measurements made on the slope, the vertical angle of each interval is measured with the transit circle and the horizontal equivalents entered in the field note record.

The geographic position of cor. No. 1, as determined from datum of U.S. Coast and Geodetic Triangulation Station "SALMON", is Latitude  $58^{\circ} 19' 11''$  N., Longitude  $134^{\circ} 30' 02''$  W.

The azimuth for this survey was obtained from U.S. Coast and Geodetic Triangulation Stations "SALMON" and "CREEK", and carried to all parts of this survey by taking the mean of direct and reverse deflection angles at each instrument station.

The observed magnetic declination is  $30\frac{1}{2}^{\circ}$  E.

PRELIMINARY STATEMENT

Lines of this survey are identical with corresponding lines of previous adjoining surveys. It was necessary to retrace and dependently resurvey lines of some of the previous adjoining surveys in order to close within the allowable limits.

No corner monuments of previous adjoining surveys were marked for corners of this survey.

Begin at point for cor. No. 1, identical with cor. No. 3, U.S. Survey No. 471 and cor. No. 10, U.S. Survey No. 2393, monumented with a regulation brass capped iron post, 2 ins. diam., showing 10 ins. above the surface, firmly set, mkd. and witnessed as described in the official record.

Thence on lines of this survey, identical with lines of previous adjoining surveys, as follows:

East on line 1-2, identical with line 3-4, U.S. Survey No. 471.

23.14 Point for cor. No. 2, identical with cor. No. 4, U.S. Survey No. 471, monumented with a stone, showing 6 x 6 x 3 ins. above the surface, firmly set, mkd. and witnessed as described in the official record.

N.  $6^{\circ} 04'$  W., on line 2-3, identical with a portion of line 4-1, U.S. Survey No. 471.

Over nearly level land covered with pine, spruce and hemlock timber, with heavy brush undergrowth.

## U.S. SURVEY NO. 4605

CHAINS	
9.483	Start ascending 41½ ft. over southerly slope.
23.642	Top of steep northerly slope bears N. 81° W., S. 81° E. Ascend 191 ft. to nearly level land.
37.788	Start of nearly level land. Ascend 17 ft. over nearly level land to point for cor. No. 3.
41.850	Point for cor. No. 3, identical with cor. No. 3, U.S. Survey No. 3174, monumented with a regulation brass capped iron post, 2½ ins. diam., showing 1 in. above the surface, firmly set, mkd. and witnessed as described in the official record of U.S. Survey No. 3174.  from which  Witness meander cor. No. 4, U.S. Survey No. 3174, identical with witness meander cor. No. 1, U.S. Survey No. 471, bears N. 0° 04' W., 14.811 chs. dist.
	Thence on lines of this survey, identical with lines of previous adjoining surveys, as follows:  Line 3-4, identical with line 3-2, U.S. Survey No. 3174 and line 4-3, U.S. Survey No. 3173; line 4-5, identical with line 3-2, U.S. Survey No. 3173; line 3-2, U.S. Survey No. 3172 and line 3-2, U.S. Survey No. 3171; line 5-6, identical with line 3-4, U.S. Survey No. 3159; line 6-7, identical with line 4-3, U.S. Survey No. 2960.  Point for cor. No. 7, identical with cor. No. 3, U.S. Survey No. 2960, monumented with a brass capped iron post, 2 ins. diam., firmly set, mkd. and witnessed as described in the official record of U.S. Survey No. 2960.
	Thence on lines of this survey, identical with lines of adjoining Mineral Survey No. 2225, according to the record of Mineral Survey No. 2225, as follows:  S. 50° 02' W., on line 7-8, identical with a portion of line 1-4, Mineral Survey No. 2225.
2.911	(192.15 ft.) Cor. No. 8, identical with cor. No. 4, Mineral Survey No. 2225.
	S. 44° 31' E., on line 8-9, identical with line 4-3, Mineral Survey No. 2225.
16.468	(1086.91 ft.) Cor. No. 9, identical with cor. No. 3, Mineral Survey No. 2225 and cor. No. 2, U.S. Survey No. 3381.
	Thence on lines of this survey, identical with lines of previous adjoining surveys, as described in the official record, as follows:  Line 9-10, identical with a portion of line 7-6, U.S. Survey No. 2433; line 10-11, identical with line 6-5, U.S. Survey No. 2433; line 11-12, identical with line 5-4, U.S. Survey No. 2433; line 12-13, identical with a portion of line 3-4, U.S. Survey No. 2305; line 13-14,



## U.S. SURVEY NO. 4605

CHAINS	<p>Identical with a portion of line 6-5, U.S. Survey No. 2135; line 14-15, identical with line 5-4, U.S. Survey No. 2135; line 15-16, identical with line 4-3, U.S. Survey No. 2135.</p> <p>Point for cor. No. 16, identical with cor. No. 3, U.S. Survey No. 2135 and cor. No. 4, Tom Lode, Mineral Survey No. 1096, monumented with a regulation brass capped iron post, 1 in. diam., showing 9 ins. above the surface, firmly set, mkd. and witnessed as described in the official record.</p>
	<p>Thence with lines of previous adjoining surveys according to the official record of Mineral Survey No. 1096 and Mineral Survey No. 1072 as follows:</p>
	<p>S. 64° 31' E., on line 16-17, identical with line 4-3, Tom Lode, Mineral Survey No. 1096.</p>
11.945	<p>(788.40 ft.) Point for cor. No. 17, identical with cor. No. 3, Tom Lode, Mineral Survey No. 1096 and cor. No. 4, Maine Lode, Mineral Survey No. 1072.</p>
	<p>S. 46° 19' W., on line 17-18, identical with line 4-3, Maine Lode, Mineral Survey No. 1072.</p>
9.091	<p>(600.00 ft.) Point for cor. No. 18, identical with cor. No. 3, Maine Lode, and cor. No. 4, Gold Bullion, Mineral Survey No. 1072.</p>
	<p>S. 46° 09' W., on line 18-19, identical with line 4-3, Gold Bullion, Mineral Survey No. 1072.</p>
9.091	<p>(600.00 ft.) Point for cor. No. 19, identical with cor. No. 3, Gold Bullion, Mineral Survey No. 1072, and cor. No. 9, U.S. Survey No. 2393.</p>
	<p>Thence on line 19-1, identical with line 9-10, U.S. Survey No. 2393, according to the official record, to cor. No. 1 and point of beginning.</p>
	<p>Containing 654.71 acres.</p>
	<p style="text-align: center;"><b>IMPROVEMENTS</b></p>
	<p>At the time of this survey there were no improvements on the land.</p>
	<p style="text-align: center;"><b>GENERAL DESCRIPTION</b></p>
	<p>The land in this survey lies on the northeasterly side of Douglas Island and is mountainous to rolling land in a northeasterly direction. The land is covered with pine, spruce, hemlock and alder timber, with berry brush undergrowth. There are numerous muskeg meadows scattered throughout the survey. The soil is sand and gravel covered with forest mold and moss.</p>



CERTIFICATE OF SURVEY

I, **Clifford L. McKay**, HEREBY CERTIFY upon honor that, in pursuance of special instructions bearing date of the 12 day of **October**, 19 **62**, I have surveyed U.S. Survey No. 4605, situated on the northeasterly side of Douglas Island, approximately one mile northwest of Juneau,

of the \_\_\_\_\_ Meridian, in the State of **Alaska**, which are represented in the foregoing field notes as having been executed by me and under my direction; and that said survey has been made in strict conformity with said special instructions, the Manual of Instructions for the Survey of the Public Lands of the United States, and in specific manner described in the foregoing field notes.

Dec. 18, 1963  
(Date)

Clifford L. McKay  
(Cadastral Surveyor)  
**Clifford L. McKay**  
Supervisory Cadastral Surveyor

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Cadastral Surveyor)

CERTIFICATE OF APPROVAL

BUREAU OF LAND MANAGEMENT,  
Washington, D. C.

The foregoing field notes of the survey of U.S. Survey No. 4605, situated on the northeasterly side of Douglas Island, approximately one mile northwest of Juneau.

executed by **Clifford L. McKay, Supervisory Cadastral Surveyor** having been critically examined and found correct, are hereby approved.

APR 10 1964  
(Date)

E. E. Huntington  
(Chief, Division of Engineering)

CERTIFICATE OF TRANSCRIPT

I CERTIFY That the foregoing transcript of the field notes of the above-described surveys in \_\_\_\_\_ is a true copy of the original field notes.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Chief, Division of Engineering)

**2006-001632-0**

Recording Dist: 101 - Juneau  
3/9/2006 10:36 AM Pages: 1 of 2

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**U.S. Patent** **50-64-0219**

This conveyance document may have been recorded at a previous time, and if so, the prior recording date takes precedence.

Please record this cover page as the first page of the document. Document should be indexed as follows:

<b>RECORDING DISTRICT:</b>	Juneau # 101
<b>DOCUMENT TYPE:</b>	<b>Deed</b>
<b>FILE TYPE/NUMBER:</b>	MH-50

**GRANTOR:**

- 1. United States of America
- 2. Department of the Interior
- 3. Bureau of Land Management

**LEGAL DESCRIPTION:**

- 1. See attached patent.

**GRANTEE:**

- 1. State of Alaska
- 2. Department of Natural Resources
- 3. Division of Mining Land and Water

**AFTER RECORDING RETURN TO:**

State of Alaska  
Department of Natural Resources  
Division of Mining, Land & Water  
Realty Services/Title Administration  
550 W. 7<sup>th</sup> Avenue, Suite 1050A  
Anchorage, AK 99501-3579

**STATE BUSINESS NO CHARGE**

This is to certify that this is a true and correct copy as the same appears in the records of the Department of Natural Resources.

Holly M. Paydock  
Department of Natural Resources

Form 4-1040  
(January 1959)

Anchorage 060994

*MH-50*

Date 3/6/2006

# The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Land Office at Anchorage, Alaska, is now deposited in the Bureau of Land Management, whereby it appears that pursuant to the grant of lands under the Act of Congress of July 28, 1956 (70 Stat. 711), as supplemented by the Act of July 7, 1958 (72 Stat. 339), the State of Alaska has selected the land embraced in U. S. Survey No. 4605, situated on the northeasterly side of Douglas Island approximately one mile northwest of Juneau, Alaska, containing 654.71 acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the said Acts of Congress, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said State of Alaska, and to its assigns, the tract of Land above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities and appurtenances, of whatsoever nature, thereunto belonging, unto the said State of Alaska, and to its assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws and decisions of courts; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States.

There is, also, reserved to the United States a right-of-way for the construction of railroads, telegraph and telephone lines in accordance with the Act of March 12, 1914 (38 Stat. 305; 48 U.S.C. Sec. 305).

RECORDED - FILED	
<i>Juneau</i> REC. DIST.	
DATE	<u>8-17</u> 19 <u>64</u>
TIME	<u>11:55</u> A.M.
Requested by	<u>Alaska</u>
Address	<u>Juneau</u>

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat., 476); has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Anchorage, Alaska the EIGHTH day of JUNE in the year of our Lord one thousand nine hundred and SIXTY-FOUR and of the Independence of the United States the one hundred and EIGHTY-EIGHTH.

By *Roger B. Robinson*  
Alaska State Director

Patent Number 50-64-0219

16-21870-4 GPO 837,721

JUNEAU  
Serial No. 64-2858



# State of Alaska



## Patent

No. 6043

**Know All Men By These Presents** that the State of Alaska, in consideration of the sum of TEN AND NO/100----- DOLLARS lawful money of the United States, and other good and valuable considerations, now paid, the receipt whereof is hereby acknowledged, does hereby grant to \_\_\_\_\_

CITY AND BOROUGH OF JUNEAU  
155 South Seward Street, Juneau, Alaska 99801 and to

its successors and assigns, all that real property situated in the ~~Borough of~~ City and Borough of Juneau, State of Alaska, and described as follows:

U.S. SURVEY NO. 3172, ALASKA

LOT 38, containing 2.27 acres. Excluding the North Douglas Highway Right-of-Way Alaska Project No. S-0959(4). Subject to Water Right ADL 43324 (Certificate of Appropriation No. 43324-C).

LOT 37, containing 2.27 acres. Excluding the North Douglas Highway Right-of-Way Alaska Project No. S-0959(4).

ACCORDING TO U.S. SURVEY NO. 3172, ALASKA, ACCEPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT IN WASHINGTON, D.C., ON MARCH 22, 1954.

U.S. SURVEY NO. 2960, ALASKA

LOT 16, containing 1.57 acres. Subject to Water Right ADL 43139 (Certificate of Appropriation No. 318) and Right-of-Way Permits ADL 20619 and ADL 21874.

ACCORDING TO U.S. SURVEY NO. 2960, ALASKA, GASTINEAU CHANNEL SMALL TRACT GROUP EMBRACING LOTS 1 TO 16; INCLUSIVE, ACCEPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT IN WASHINGTON, D.C., ON JUNE 9, 1950.



U.S. SURVEY NO. 4605, ALASKA

Containing 654.71 acres.

ACCORDING TO U.S. SURVEY 4605, ALASKA, ACCEPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT IN WASHINGTON, D.C., ON APRIL 10, 1964.

CONTAINING AN AGGREGATE OF 660.82 ACRES, MORE OR LESS.

Subject to valid existing trails, roads and easements.

Pursuant to A.S. 38.05.127(a)(2) reservation of an easement for public access is retained 50 feet upland of the ordinary high water mark along both sides of Neilson Creek, Falls Creek, Eagle Creek and Grant Creek. The Grantee may manage the easements, including but not limited to authorizing the placement of improvements within the easements, the expansion, relocation or reduction of the easement width stated above to not less than 10 feet, or other modification of the easements as long as the purpose of the easements is not substantially impaired and the need of the public for the easements is met.

Net chargeable acreage under A.S. 29.18.201 is 658.76 acres.

Township 41 SOUTH Range 67 EAST COPPER RIVER Meridian.

Alaska, according to the official survey thereof numbered USS 3172, USS 2960, USS 4605

**Save And Except** those restrictions appearing in the Federal Patent or other conveyance by which the Grantor acquired title:

**And Further**, Alaska, as Grantor, hereby expressly saves, excepts and reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, all oils, gases, coal, ores, minerals, fissionable materials, geothermal resources, and fossils of every name, kind or description, and which may be in or upon said lands above described, or any part thereof, and the right to explore the same for such oils, gases, coal, ores, minerals, fissionable materials, geothermal resources, and fossils, and it also hereby expressly saves and reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, the right to enter by itself, its or their agents, attorneys, and servants upon said lands, or any part or parts thereof, at any and all times for the purpose of opening, developing, drilling, and working mines or wells on these or other lands and taking out and removing therefrom all such oils, gases, coal, ores, minerals, fissionable materials, geothermal resources, and fossils, and to that end it further expressly reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, the right by its or their agents, servants and attorneys at any and all times to erect, construct, maintain, and use all such buildings, machinery, roads, pipelines, powerlines, and railroads, sink such shafts, drill such wells, remove such soil, and to remain on said lands or any part thereof for the foregoing purposes and to occupy as much of said lands as may be necessary or convenient for such purposes hereby expressly reserving to itself, its lessees, successors, and assigns, as aforesaid, generally all rights and power in, to, and over said land, whether herein expressed or not, reasonably necessary or convenient to render beneficial and efficient the complete enjoyment of the property and rights hereby expressly reserved.

**To Have And To Hold** the said land, together with the tenements, hereditaments, and appurtenances thereunto appertaining, unto the said Grantee and its successors and assigns forever.

**In Testimony Whereof** the State of Alaska has caused these presents to be executed by the Director of the Division of Technical Services, Department of

Natural Resources, State of Alaska, pursuant to delegated authority, this 1st day of April, 1982 A.D.

*Warner T. May*  
for Director, Division of Technical Services

State of Alaska )  
 ) ss.  
THIRD Judicial District )

**This Is To Certify** that on the 1st day of April, 1982, appeared before me

Warner T. May, who is known to me to be the Director of the Division of Technical Services, Department of Natural Resources, State of Alaska, or the person who has been lawfully delegated the authority of said Director to execute the foregoing document; that he executed said document under such legal authority and with knowledge of its contents; and that such act was performed freely and voluntarily upon the premises and for the purposes stated therein.



*Celine M. Brunson*  
Notary Public in and for Alaska  
My Commission expires December 10, 1984

State Record of Patents

Vol. LXI

Page 43

ADL No. 101081

Patent No. 6043

Presented by: Lands Committee  
Introduced: 10/07/85  
Drafted by: Lands Committee

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 85-76am

AN ORDINANCE PRESERVING CERTAIN MUNICIPAL LAND  
FOR THE JUNEAU OPEN SPACE AND PARK SYSTEM.

WHEREAS, the establishment of a municipal open space and park system would permit the more efficient and effective management and use of land classified for such purposes, and

WHEREAS, in accordance with CBJ 53.09, the Planning Commission has previously classified as "public use" those lands included in the list attached hereto as Appendix 1 and the maps attached hereto as Appendix 2, and

WHEREAS, such lands appear to be well suited for inclusion in an open space and park system, and

WHEREAS, the Planning Commission has reviewed and concurs with the objectives of this ordinance;

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

\* Section 1. Classification. This ordinance is a non-code ordinance.

\* Section 2. Preservation of Land. (a) Those parcels of land listed in Appendix 1 and depicted in Appendix 2 are preserved from all other uses for the purpose of inclusion in the Juneau Open Space and Park System; provided, however, waterlines, utilities, access, roads, easements and similar incidental uses may be allowed, and provided further that appropriate present uses and adequate future space for major right-of-way alignments shall be maintained in those parcels designated in Appendix 1 as 0412B and 0520A.

(b) The manager or his designee, upon a finding that circumstances so warrant, may by regulation issued pursuant



PARK AND OPEN SPACE STATISTICAL SHEETS


General Location	CBJ Parcel Number	Property Description	Approx. Acreage	Classification	Comprehensive Plan Designation	Legal Description
Salmon Creek	0840B	Salmon Creek Greenbelt	2.25	Public Use - Greenbelt	Resource Reserve	Fraction of USHS 955, 50 feet each side of Salmon Creek
Douglas City Beach Land	1200A	Gastineau Channel Shoreline	13.80	Public Use - Beach Access	Open Space	Fraction of Lot 2 USS 3853, 200 feet upland from Gastineau Channel HWL
	1200D	Paris Creek Greenbelt	18.80	Public Use - Stream Access	Resource Reserve	Fraction of Lot 2, USS 3853, 100 feet each side of Paris Creek *
	1210A	Lawson Creek Greenbelt	10.55	Public Use -	Open Space	Fraction of Lot 1, USS 3853, 100 feet each side of Lawson Creek*
North Douglas	1420A	Neilson Creek Greenbelt	8.25	Public Use -	Open Space	Fraction of Lot 1, USS 3559, 100 feet each side of Neilson Creek *
	1420B	Hendrickson Creek Greenbelt	15.60	Public Use -	Open Space	Fraction of Lot 1, USS 3559, 100 feet each side of Hendrickson Creek*
	1420C	Johnson Creek Greenbelt	8.70	Public Use -	Open Space	Fraction of Lot 1, USS 3559, 100 feet each side of Johnson Creek*
	1430A	Grant Creek Greenbelt	5.50	Public Use - Open Space	Open Space	Fraction of USS 4605, 100 feet each side of Grant Creek*
	1430B	Eagle Creek Greenbelt	18.35	Public Use - Open Space	Open Space	Fraction of USS 4605, 100 feet each side of Eagle Creek*
	1430C	Falls Creek Greenbelt	14.65	Public Use - Open Space	Open Space	Fraction of USS 4605, 100 feet each side of Falls Creek*

\* Future road corridor will cross this parcel.  
 NOTE: Greenbelts for stream corridors are measured from HWL.

EXCERPT

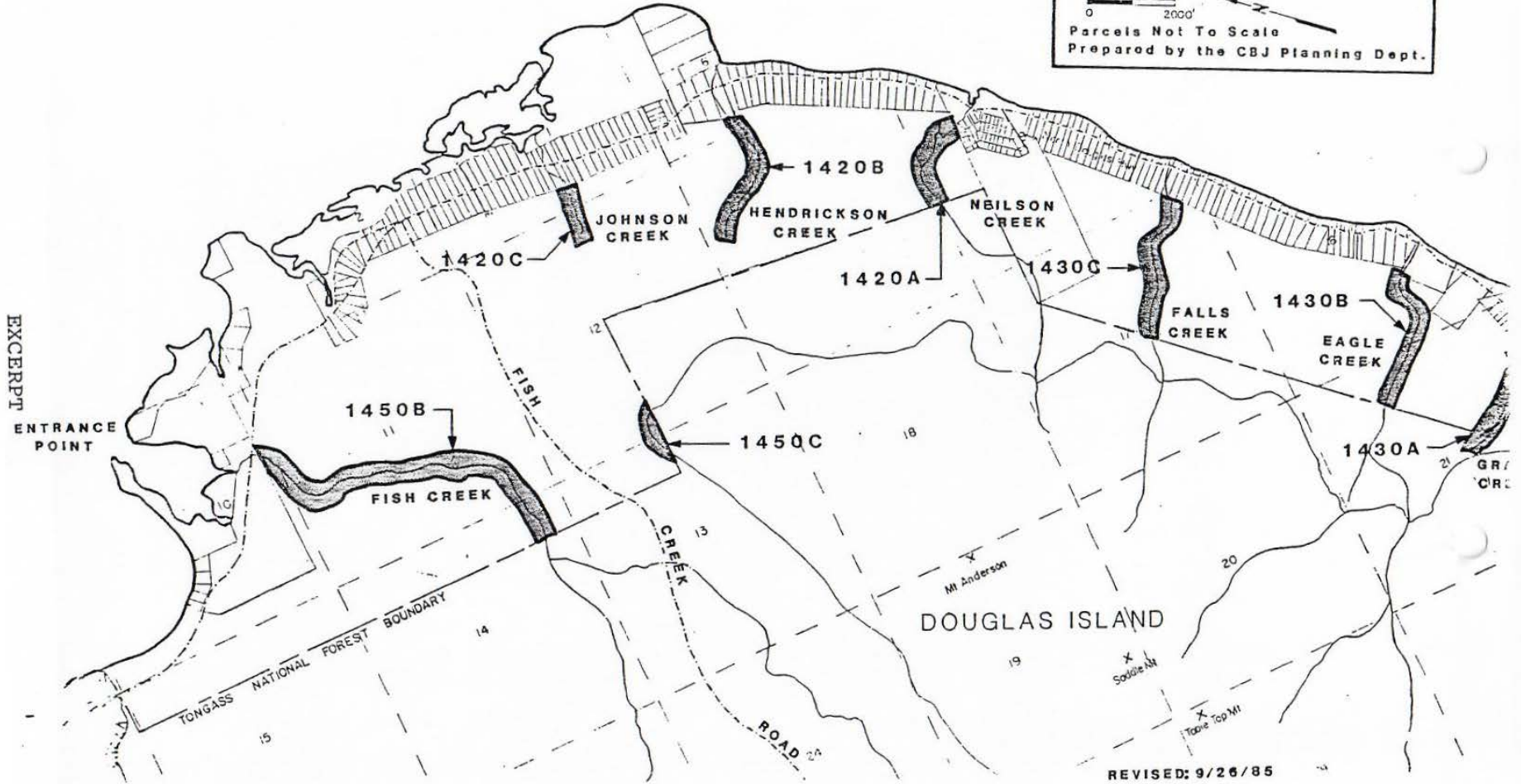
**CBJ Open Space and Park System  
Map 7  
North Douglas  
Sept. 1, 1985**

**LEGEND**

 PARCELS INCLUDED IN CBJ OPEN SPACE AND PARK SYSTEM

0 2000'

Parcels Not To Scale  
Prepared by the CBJ Planning Dept.



EXCERPT

REVISED: 9/26/85



## Planning Commission

(907) 586-0715

PC\_Comments@juneau.org

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

155 S. Seward Street • Juneau, AK 99801

### PLANNING COMMISSION NOTICE OF RECOMMENDATION

Date: September 1, 2022  
File No.: PAD2022 0002

City and Borough of Juneau  
CBJ Assembly Members  
155 S Seward Street  
Juneau, AK 99801

Proposal: Property Acquisition and Disposal review for the acquisition and disposal of land by the CBJ

Property Address: 4305 North Douglas Highway and North Douglas Highway

Legal Description or ROW name: USS 2135 Tract 1 Tract A, USS 2305 Lot 15, USS 4605 Fraction

Parcel Code No.: 6D0601110020, 6D0601130010, 6D0611000010

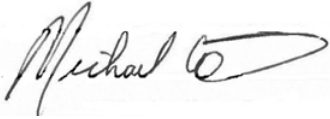
Hearing Date: August 23, 2022

The Planning Commission, at a regular public meeting, adopted the analysis and findings listed in the attached memorandum dated August 11, 2022, and recommended that the Assembly direct CBJ staff to initiate the proposed land swap.

Attachments: August 11, 2022, memorandum from Joseph Meyers, Community Development, to the CBJ Planning Commission regarding PAD2022 0002.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ 01.50.020(b).

City and Borough of Juneau  
CBJ Assembly  
File No.: PAD2022 0002  
September 1, 2022  
Page 2 of 2



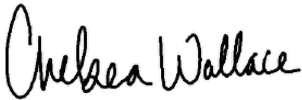
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Michael LeVine, Chair  
Planning Commission

September 6, 2022

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Date



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Filed With Municipal Clerk

September 6, 2022

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Date

cc: Plan Review

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




**PLANNING COMMISSION STAFF REPORT**  
**PROPERTY ACQUISITION & DISPOSAL PAD2022 0002**  
**HEARING DATE: AUGUST 23, 2022**

(907) 586-0715

CDD\_Admin@juneau.org

www.juneau.org/community-development

155 S. Seward Street • Juneau, AK 99801

**DATE:** August 11, 2022  
**TO:** Michael LeVine, Chair, Planning Commission  
**BY:** Joseph Meyers, Planner II   
**THROUGH:** Jill Maclean, Director, AICP

**PROPOSAL:** Applicant requests a Property Acquisition and Disposal review for the acquisition and disposal of land by the CBJ.

**STAFF RECOMMENDATION:** Approval

**KEY CONSIDERATIONS FOR REVIEW:**

- Land disposal is in general conformity with the 2013 Comprehensive Plan, the 2016 Housing Action Plan, and the 2016 CBJ Land Management Plan.
- The Land Management Plan designates this city property as retain/dispose.
- The applicant is seeking to purchase 140,394 square feet of CBJ land and would like to sell the CBJ 105,347 square feet of land.
- Creation of buildable lots is in the public interest.
- Currently, there is no requirement that the development qualify for affordable housing as defined by the Department of Housing and Urban Development standards.



**ALTERNATIVE ACTIONS:**

1. **Amend:** Amend the recommendation to include conditions and recommend approval to the Assembly.
2. **Deny:** Recommend denial of the proposed project. Planning Commission must make its own findings.
3. **Continue:** Continue the hearing to a later date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

**ASSEMBLY ACTION REQUIRED:**

A Notice of Recommendation will be forwarded to the Assembly for further action.

**STANDARD OF REVIEW:**

- Quasi-legislative decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
  - CBJ 53.09.260

*Fostering excellence in development for this generation and the next.*



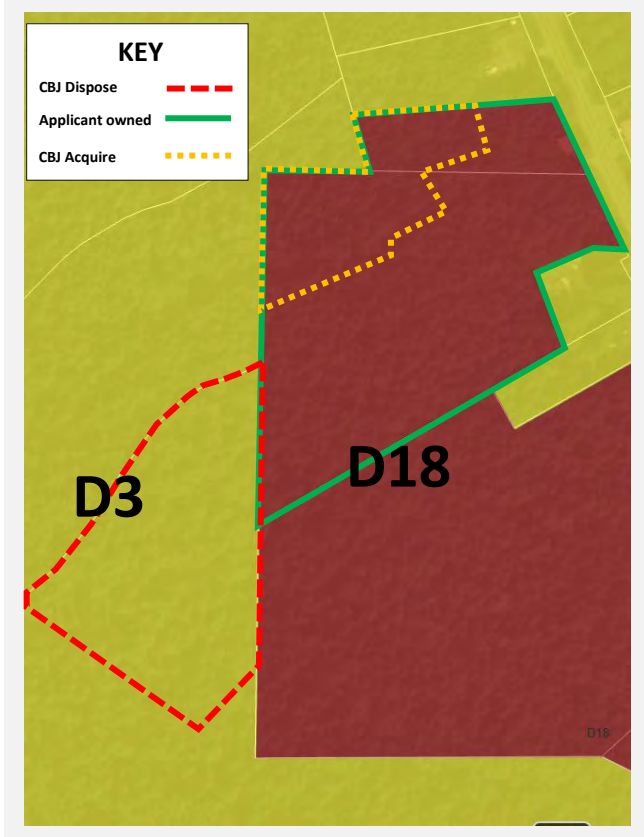
<b>GENERAL INFORMATION</b>	
<b>Property Owner</b>	Grant Creek Homes / City & Borough of Juneau
<b>Applicant</b>	Murray Walsh, WPDS/ City & Borough of Juneau
<b>Property Address</b>	4305 North Douglas Highway & North Douglas Highway
<b>Legal Description</b>	USS 2135 Tract 1 Tract A, USS 2305 Lot 15, USS 4605 FR
<b>Parcel Number</b>	6D0601110020, 6D0601130010, and 6D0611000010
<b>Zoning</b>	D18 and D3
<b>Land Use Designation</b>	Medium Density Residential (MDR) & Urban Low-Density Residential (ULDR)
<b>Lot Size</b>	Approximately 699,524 square feet (16.06 acres)
<b>Water/Sewer</b>	CBJ
<b>Access</b>	North Douglas Highway
<b>Existing Land Use</b>	One single-family structure
<b>Associated Applications</b>	N/A

***The Commission shall hear and decide the case per CBJ 53.09.260 – Negotiated sales, leases, and exchanges:***

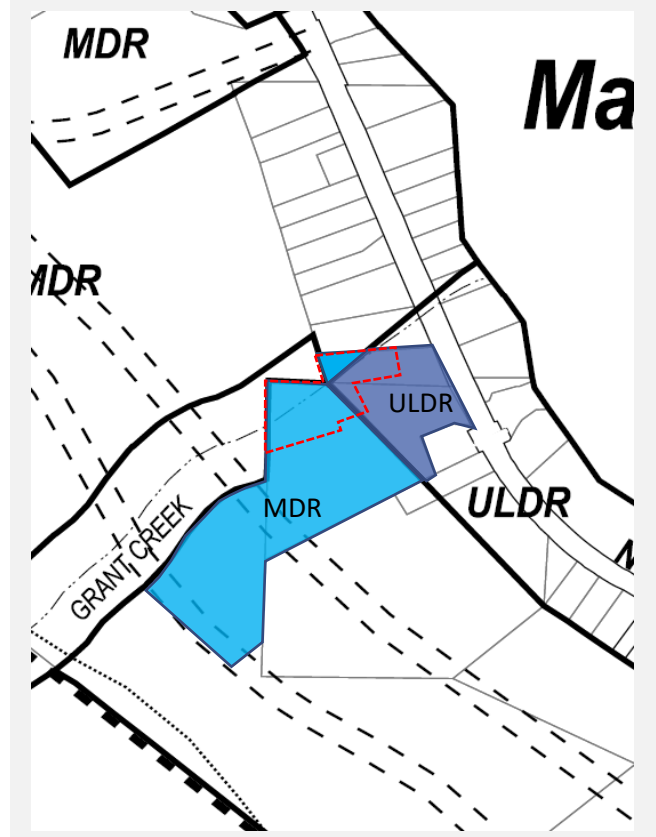
- (a) Application, initial review, assembly authority to negotiate. Upon application, approval by the manager, and payment of a \$500.00 fee, a person or business entity may submit a written proposal to lease, purchase, exchange, or otherwise acquire City and Borough land for a specified purpose. The proposal shall be reviewed by the assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the assembly by motion, the manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land.*
- (b) Review and approval process. Upon satisfactory progress in the negotiation or competition undertaken pursuant to subsection (a) of this section, after review by the planning commission for disposals other than leases, after review by the assembly lands committee, and authorization by the assembly by ordinance, the manager may conclude arrangements for the lease, sale, exchange, or other disposal of City and Borough land. The final terms of a disposal pursuant to this section are subject to approval by the assembly unless the minimum essential terms and the authority of the manager to execute the disposal are set forth in the ordinance enacted pursuant to this subsection. The disposal may not be executed until the effective date of the ordinance.*

***CBJ 49.10.170(c) Planning Commission Duties:*** *The commission shall review and make recommendations to the assembly on land acquisitions and disposals as prescribed by CBJ Title 53, or capital improvement project by any City and Borough agency. The report and recommendation of the commission shall be based upon the provisions of this title, the comprehensive plan, and the capital improvements program.*

**CURRENT ZONING MAP**



**LAND USE DESIGNATION MAP**



**SURROUNDING LAND USES AND ZONING**

Direction	Zoning District	Land Use
North	D3 – Residential	Single-family structure
South	D18 & D3 – Residential	Vacant
East	Right-of-Way	North Douglas Highway
West	D3 – Residential	Vacant

**BACKGROUND INFORMATION**

**Project Description** – The applicant is seeking to sell 105,347 square feet of land to the CBJ ① and purchase 140,394 square feet of land from the CBJ ②. This land swap is being proposed as a means of creating additional buildable lots within the CBJ, in conformity with the 2013 CBJ Comprehensive Plan. In addition, the land being conveyed to CBJ would be included in the existing designated stream buffer to extend protection of Grant Creek, an anadromous waterbody. This effort is also in conformity with the 2013 Comprehensive Plan.



**Background** – The table below summarizes relevant history for the subject parcel and proposed development.

Item	Summary
Rezone ORD2010-14am	Rezoned three lots on North Douglas Highway from D3 to D18 in 2010.

**Existing Conditions** – In order to more efficiently describe the project, each section is labelled with a number corresponding to the action that will be taken by this land swap. These parts are not discrete units following property lines, and include portions of three separate lots. In addition, the maps contained within this report are approximate and meant solely for illustrative purposes.



The lot is currently vacant and forested with 12% slopes according to the provided preliminary site plan. A single-family dwelling exists on the northeast portion of the lot at 4305 North Douglas Highway.

**CBJ 53.09.200(b) – Purpose and intent. The purpose and Intent of CBJ Title 53.09.200(b) is:**

1. *Inclusion in Land Management Plan. Except for property acquired by tax foreclosure or reconveyance agreement, real property should not be conveyed prior to inclusion in a land management plan.*

**The Land Management Plan designates this city property for disposal as retain/dispose.**

**ZONING ANALYSIS FOR INFORMATIONAL PURPOSE**

**Zoning Generally** – The proposed area for disposal and acquisition encompasses 245,741 square feet of land and spans two zoning districts – D3 and D18 Residential. Density on the lot will need to meet the standards of each respective zoning district, including using the stricter standard when lots within two different zoning districts abut one another. To maximize the density of the lot, a rezone may be sought.

**Table of Permissible Uses** – The proposed use of the land is for single-family residential lots. This use is appropriate for the D3 zoning district and is also a permissible use in the D18 zoning district. The CBJ encourages maximizing density where possible, particularly in areas zoned for multi-family developments within the urban service area.

**Table of Dimensional Standards** – Depending on the density that the applicant is seeking, a rezone may be necessary to fully take advantage of these lots, as there are currently two zoning districts regulating the lot, D3 and D18.

Zoning District	Minimum lot size	Bungalow Lots	Duplex	Commonwall
D3	12,000 square feet	6,000 square feet	18,000 square feet	N/A
D18	5,000 square feet	2,500 square feet	N/A	2,500 square feet

**Other Required Permits** – A major subdivision permit will be required for future subdivision of the site.

**Roadway Classification Maps** – The lots are adjacent to North Douglas Highway which is classified as a minor arterial.

**Hazard Areas** – A portion of USS 2135 Tract 1 Tract A and USS 2305 Lot 15 are within the Zone A flood zone.

**COMMUNITY SERVICES**

Service	Summary
Urban Service Boundary	Within the urban service area
Water/Sewer	CBJ
Fire Service Area	Within the fire service area
Schools	Juneau School District

**ENVIRONMENTAL, CONSERVATION, HISTORIC, AND ARCHEOLOGICAL RESOURCES**

The table below summarizes Conservation, Historic, and Archeological Resources which may be affected by the acquisition and disposal of approximately 16 acres of land between the CBJ and the applicant.

Resource	Summary
Conservation Areas	None
Wetlands	No known wetlands on site.
Anadromous	An on-site stream is only anadromous below North Douglas Highway, and is not anadromous on the lots being reviewed. Streams are only anadromous where designated by Alaska Department of Fish & Game.
Impaired Waterbodies	None known.
Historic	None.
Archeological	None known.
Comprehensive Plan View sheds	None

This land purchase by the CBJ would extend the 200-foot designated stream corridor surrounding Grant Creek, in line with the 2013 Comprehensive Plan.

**CONFORMITY WITH ADOPTED PLANS**

**2013 COMPREHENSIVE PLAN VISION:** *The City and Borough of Juneau is a vibrant State Capital that values the diversity and quality of its natural and built environments, creates a safe and satisfying quality of life for its diverse population, provides quality education and employment for its workers, encourages resident participation in community decisions and provides an environment to foster state-wide leadership.*

**2013 COMPREHENSIVE PLAN –** The proposed text amendment is in compliance with the 2013 Comprehensive Plan.

Chapter	Page No.	Item	Summary
4	37	Policy 4.2	<i>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.</i>
7	79	DG2	<i>On publicly-owned lands, designated on the Land Use Code Maps as not appropriate for development an area extending 200 feet from the Ordinary High Water Mark of the shorelines or stream corridors of the anadromous fish creeks, streams, and lakes listed in the most recently CBJ-adopted Alaska Department of Fish and Game inventory of anadromous fish streams.</i>
17	226	Policy 17.2	<b>SOP4:</b> <i>Base decisions regarding disposal of CBJ-owned lands on demonstrated market demand and evidence that disposal will be in the public interest and, particularly, for projects that would provide affordable housing or that would create jobs that pay a living wage. Coordinate activities with an orderly system for extending and constructing the public facilities and services called for in the transportation/public facilities and services element of the Plan.</i>

**2013 COMPREHENSIVE PLAN** – The proposed text amendment is in compliance with the 2013 Comprehensive Plan.

			This application is in conformity with the Adopted 2013 Comprehensive plan Policy 17.2 SOP4. The stated intent of the application is to subdivide the land for future housing development. There is a significant demand for all types of housing in the CBJ. This purchase would be in the broader public interest to provide more buildable lands for housing development.
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**2016 HOUSING ACTION PLAN** – The proposed text amendment complies with the 2016 Housing Action Plan

Chapter	Page No.	Item	Summary
Part 2	36	Develop Housing Choices to Accommodate Juneau’s Workforce Needs	The applicant has stated that they are seeking to create, “ <i>small, affordable lots</i> ” through this land purchase. Currently, there is no requirement that the development qualify for affordable housing as defined by the Department of Housing and Urban Development standards.

**2016 CBJ Land Management Plan** – The proposed text amendment complies with the 2016 CBJ Land Management Plan

Chapter	Page No.	Item	Summary
N/A	7	Goal 1	Continue the land disposal program which systematically places CBJ land into private ownership.
N/A	112	Recommendations	<i>Disposal of large tracts to private developers.</i> This proposal is in conformity with the 2016 CBJ Land Management Plan by providing disposal of large tracts of land to private developers. The plan designates this tract as retain/dispose.

**AGENCY REVIEW**

CDD conducted an agency review comment period between July 13, 2022 and July 27, 2022. Agency review comments can be found in Attachment C.

Agency	Summary
General Engineering	No concerns with the land swap.
Assessor	No comments received.
Alaska Department of Transportation & Public Facilities	No comments received.

**PUBLIC COMMENTS**

CDD conducted a public comment period between July 19, 2022 and August 1, 2022. Public comments can be found in Attachment D.

Grant Creek Homes / City & Borough of Juneau  
File No: PAD2022 0002  
August 11, 2022  
Page 8 of 8

**FINDINGS**

In accordance with CBJ 49.15.580, staff finds the proposed acquisition and disposal of land by the CBJ complies with the Title 49 Land Use Code and is in general conformity with adopted plans, specifically the 2013 Comprehensive Plan, the Housing Action Plan, and the CBJ Land Management Plan.

**RECOMMENDATION**

Staff recommends the Planning Commission adopt the Director's analysis and findings and forward a recommendation of APPROVAL to the CBJ Assembly for the acquisition and disposal of land by the CBJ.

**STAFF REPORT ATTACHMENTS**

<b>Item</b>	<b>Description</b>
<b>Attachment A</b>	Application Packet
<b>Attachment B</b>	Public Notice Materials
<b>Attachment C</b>	Agency Comments
<b>Attachment D</b>	Public Comments
<b>Attachment E</b>	Reviewed Materials



# DEVELOPMENT PERMIT APPLICATION

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

To be completed by Applicant	<b>PROPERTY LOCATION</b>	
	Physical Address 4305 North Douglas Highway	
	Legal Description (if Subdivision, Survey, Block, Tract, Lot) USS 2135 TR 1 TR A, USS 2305 LT 15, USS 4605 FR, USS 4605 FR	
	Parcel Number(s) 6D0601130010, 6D0601110020      6D0611000010      6D0611000011	
	<input type="checkbox"/> This property located in the downtown historic district	
	<input type="checkbox"/> This property located in a mapped hazard area, if so, which _____	
	<b>LANDOWNER/ LESSEE</b>	
	Property Owner Gary Tigar, Grant Creek Homes/ City and Borough of Juneau	Contact Person Murray Walsh, WPDS
	Mailing Address 1765 Palo Verde Blvd S. Lake Havasu City, AZ 86403-4735	Phone Number(s) 907-723-8444
	E-mail Address garttigar@sbcglobal.net / murray@acsalaska.net / Dan.Bleidorn@juneau.org	
<b>LANDOWNER/ LESSEE CONSENT</b> <small>Required on 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>Murray Walsh</u> Landowner/Lessee Signature	<u>5-27-22</u> Date	
X <u>Daniel Bleidorn</u> Landowner/Lessee Signature	<u>5/27/22</u> Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.		
<b>APPLICANT</b> <small>If the same as OWNER, write "SAME"</small>		
Applicant WPDS	Contact Person Murray Walsh	
Mailing Address 2974 FOSTER AVE	Phone Number(s) 907-723-8444	
E-mail Address garttigar@sbcglobal.net / murray@acsalaska.net		
X <u>Murray Walsh</u> Applicant's Signature	<u>5-27-22</u> Date of Application	

DEPARTMENT USE ONLY BELOW THIS LINE

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

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

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

I:\FORMS\PLANFORM\DPA.docx

Intake Initials AS
Date Received 5/31/22

Case Number <del>SP22-003</del> PAD 22-002
--



# CITY/STATE PROJECT AND LAND ACTION REVIEW APPLICATION

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

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

To be completed by Applicant

**PROJECT SUMMARY**  
See attached Memo to the LHED Committee of the Assembly

**TYPE OF PROJECT REVIEW:**  
 City Project Review     City Land Acquisition /Disposal     State Project Review

**PROJECT NUMBERS ASSOCIATED WITH PROPOSAL:**  
 Is this project associated with any other Land Use Permits?     YES Case No.: \_\_\_\_\_     NO  
 Capital Improvement Program # (CIP) \_\_\_\_\_  
 Local Improvement District # (LID) \_\_\_\_\_  
 State Project # \_\_\_\_\_

**ESTIMATED PROJECT COST: \$** \_\_\_\_\_

**ALL REQUIRED MATERIALS ATTACHED**  
 Complete application  
 Pre-Application notes (if applicable)  
 Narrative including:  
      Current use of land or building(s)  
      Proposed use of land or building(s)  
      How the proposed project complies with the Comprehensive Plan  
      How the proposed project complies with the Land Use Code (Title 49)  
 Site Plan (details on page 2)

**NOTE: This application is required even if the proposed project is associated with other Land Use permits.**

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

CITY/STATE PROJECT FEES	Fees	Check No.	Receipt	Date
Application Fees	\$ <u>100</u>			

*\$100 sign deposit  
\$50 sign fee*

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

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

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

Case Number	Date Received
<i>CSP22-003</i>	<i>5/3/22</i>

*PAD 22-002*

## City/State Project and Land Action Review Information

City and State project review is outlined in CBJ 49.15.580

Each application for a City/State Project is reviewed by the Planning Commission at a public hearing. The permit procedure is intended to provide the Commission the flexibility necessary to make recommendations tailored to individual applications.

**Application:** An application for a City/State Project Review will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed City/State Project Review Application and Development Permit Application forms.
2. **Fees:** No fee required for projects that cost less than \$2.5 million. For projects costing more than this amount, the fee is \$1,600.00. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the project.
4. **Plans:** All plans are to be drawn to scale and clearly show the items listed below:
  - a. Plat, site plan, floor plan and elevation views of existing and proposed structures and land;
  - b. Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances;
  - c. Proposed traffic circulation within the site including access/egress points and traffic control devices;
  - d. Existing and proposed lighting (including cut sheets for each type of lighting);
  - e. Existing and proposed vegetation with location, area, height and type of plantings; and,
  - f. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

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

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

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

**Review:** As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the permit request the application may be required to be reviewed by other municipal boards and committees. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

**Hearing:** All City/State Project Review Permit Applications must be reviewed by the Planning Commission. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting. The Planning Commission will make a recommendation based on staff's analysis and forward it to the Assembly for final approval/denial.

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

Attachment A - Application Packet



## PROPERTY ACQUISITION AND DISPOSAL REVIEW APPLICATION

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

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

To be completed by Applicant	<b>PROJECT SUMMARY:</b> Gary Tigar and Grant Creek Homes are requesting to sell the City a 105,347 square foot area of property that is within the floodplain and buy 140,394 square foot of uplands from the CBJ <i>- See attached memo to the LHED Committee of the Assembly</i>	
	<b>TYPE OF PROJECT REVIEW:</b> Property Acquisition Review	Property Disposal Review
	<b>PROJECT NUMBERS ASSOCIATED WITH PROPOSAL:</b>	
	Is this project associated with any other Land Use Permits? <input type="checkbox"/> YES    Case No.: _____ <input type="checkbox"/> NO Capital Improvement Program # (CIP) _____	
<b>ESTIMATED PROJECT COST:</b> \$ _____		
<b>ALL REQUIRED MATERIALS ATTACHED</b>		
<input type="checkbox"/> Complete application <input type="checkbox"/> Pre-Application notes (if applicable) <input type="checkbox"/> Narrative including: <input type="checkbox"/> Current use of land or building(s) <input type="checkbox"/> Proposed use of land or building(s) <input type="checkbox"/> How the proposed project complies with the Comprehensive Plan <input type="checkbox"/> How the proposed project complies with the Land Use Code (Title 49) <b>Site Plan</b> (details on page 2)		

**NOTE: This application is required even if the proposed project is associated with other Land Use permits.**

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

PROPERTY ACQUISITION & DISPOSAL FEES	Fees	Check No.	Receipt	Date
Application Fees	\$ _____			

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

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

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

Case Number	Date Received
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Attachment A - Application Packet

**Attachment F - Notice of Recommendation for PAD2022 0002**



## **Property Acquisition & Disposal Review Information**

Property Acquisition & Disposal project review is outlined in CBJ 53.04 and 53.09

Each application for a Property Acquisition & Disposal project is reviewed by the Planning Commission at a public hearing. The permit procedure is intended to provide the Commission the flexibility necessary to make recommendations tailored to individual applications.

**Application:** An application for a Property Acquisition & Disposal project review will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed Property Acquisition & Disposal Project Application, and Development Permit Application forms.
2. **Fees:** No fee required for projects that cost less than \$2.5 million. For projects costing more than this amount, the fee is \$1,600.00. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the project.
4. **Plans:** All plans are to be drawn to scale and clearly show the items listed below:
  - a. Plat, site plan, floor plan and elevation views of existing and proposed structures and land;
  - b. Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances;
  - c. Proposed traffic circulation within the site including access/egress points and traffic control devices;
  - d. Existing and proposed lighting (including cut sheets for each type of lighting);
  - e. Existing and proposed vegetation with location, area, height and type of plantings; and,
  - f. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

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

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

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

**Review:** As part of the review process the Community Development Department will evaluate the application for consistency with applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the permit request the application may be required to be reviewed by other municipal boards and committees. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

**Hearing:** Property Acquisition & Disposal project Applications must be reviewed by the Planning Commission. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting. The Planning Commission will make a recommendation based on staff's analysis and forward it to the Assembly for final approval/denial.

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**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

1765 Palo Verde Blvd. S.  
Lake Havasu City, AZ 86403  
(928) 566-4007

Grant Creek Homes, LLC

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July 8, 2022

Mr. Joseph Meyers  
Community Development Department  
City & Borough of Juneau  
155 South Seward Street  
Juneau, AK 99801

RE: PAD 2022 0002  
CBJ Parcel USS 2135 TR 1 TR A, PCN 6D0601110020 and  
CBJ Parcel USS 2305 LT 15, PCN 6D0601130010

Dear Mr. Meyers:

I instructed Murray Walsh, Walsh Planning & Development Services, to submit a Development Permit Application form and acknowledge his submittal as applicant for the benefit of Grant Creek Homes, LLC, as owner. I further agree to the land use action according to the Project Overview in Case Number PAC2022 0018 which has been assigned to a new file type PAD 2022 0002.

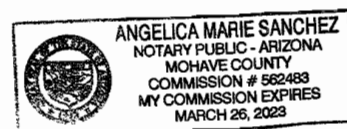
I do indeed approve the application to trade portions of these two properties, which are adjacent to Grant Creek, for a similar-sized portion of land owned by the CBJ to the south. This will enable creation of a new parcel that will be subdivided into small affordable lots, most with shared driveways.

I reside in Arizona and can be reached by phone, email or letter as shown above/below. I am represented in Juneau by Murray Walsh, Walsh Planning & Development Services and have been for many years. I am sure you have his contact information. I am available, if necessary to communicate on this matter in any manner you wish.

Sincerely,



Gary Tigar, Member  
Grant Creek Homes, LLC



# ARIZONA NOTARY ACKNOWLEDGMENT

State of Arizona

County of Mohave

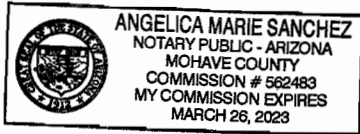
The foregoing instrument entitled DPA was

acknowledged before me this July 8, 2020 (date) by

Gary Tiger (name of person acknowledged). The person has

personally appeared before me and presented identification to establish his or identity as required by law.

(Seal)



Angelica Marie Sanchez

Signature of Notary Public



**Angelica Marie Sanchez**

Branch Manager Sr

NMLS ID 222313

T 928-855-1513 F 928-855-0700

angelica.sanchez511@pnc.com

**Member of The PNC Financial Services Group**

1992 McCulloch Boulevard V9-E134-01-1

Lake Havasu City Arizona 86403

pnc.com/locator

NOTARY ACKNOWLEDGEMENT FORM

# MEMORANDUM

CITY/BOROUGH OF JUNEAU

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

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

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

**SUBJECT:** Gary Tigar Grant Creek Homes Request to Purchase City Property through a Land Trade

**DATE:** April 28, 2022

The Lands Office has received a request for a land trade from Gary Tigar and Grant Creek Homes. The applicant is requesting to sell the City a 105,347 square foot area of property that is within the floodplain and buy a City owned 140,394 square foot uplands parcel. Both values would be determined by appraisal. The application states that the newly configured property would be subdivided into small single family lots.

The City owned property being requested in this application is a fraction of a 654-acre parcel in North Douglas. The location is southeast of Bonnie Brae Subdivision and Falls Creek, 4-mile North Douglas Highway, Eagle Creek and Grant Creek run through this property. The



Land Management Plan designates this property as retain/dispose, and it is managed by the Lands Office.

**53.09.260 - Negotiated sales, leases, and exchanges.**

(a) *Application, initial review, assembly authority to negotiate.* Upon application, approval by the manager, and payment of a \$500.00 fee, a person or business entity may submit a written proposal to lease, purchase, exchange, or otherwise acquire City and Borough land for a specified purpose. The proposal shall be

reviewed by the assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the

assembly by motion, the manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land.

If approved by the LHED Committee, this application will be forwarded to the Assembly as New Business to make a determination under 53.09.260 (a). In order to dispose of this property, the Assembly must adopt an ordinance authorizing the sale after the Planning Commission has had the opportunity to review it.

The Applicant is concurrently working through permitting process for the proposed subdivision. A pre-application meeting has already taken place and Lands, CDD and the Applicant were able to discuss the proposal, ask questions and provide direction on how to proceed. Based on the outcome of the subdivision review and subsequent negotiations the actual square footage and property boundaries of the proposed land trade would likely change if this proceeds.

**Staff request that the Lands, Housing and Economic Development Committee forward this application to the Assembly with a motion of support for disposal of City property to Gary Tigar and Grant Creek Homes through a negotiated disposal or land trade.**

Attachments:

1. Gary Tigar Grant Creek Homes Application to Purchase City Property
2. Draft Report from the Subdivision Pre-application Meeting



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

### Grant Creek Major Subdivision

Case Number: PAC2022 0018  
 Applicant: Murray Walsh  
 Property Owner: Grant Creek Homes, LLC  
 Property Address: Unassigned  
 Parcel Code Number: 6D060111002  
 Site Size: 8.78 acres or 382,457 Square Feet  
 Zoning: D18  
 Existing Land Use: Vacant

Conference Date:	March 18, 2022
Report Issued:	April 29, 2022
<b>DISCLAIMER: Pre-application conferences are conducted for purposes of providing applicants with a preliminary review of a project and timeline. Pre-application conferences are not based on a complete application, and are not a guarantee of final project approval.</b>	

### List of Attendees

Note: Copies of the Pre-Application Conference Report will be emailed, instead of mailed, to participants who have provided their email address below.

Name	Title	Email address
Murray Walsh	Applicant	<a href="mailto:Murray@acsalaska.net">Murray@acsalaska.net</a>
Beth McKibben, AICP	Senior Planner	<a href="mailto:Beth.mckibben@juneau.org">Beth.mckibben@juneau.org</a>
David Peterson	Planner 2/Plat Reviewer	<a href="mailto:David.Peterson@juneau.org">David.Peterson@juneau.org</a>
Scott Ciambor	Planning Manager	<a href="mailto:Scott.ciambor@juneau.org">Scott.ciambor@juneau.org</a>
Ken Hoganson	General Engineering	<a href="mailto:Ken.hoganson@juneau.org">Ken.hoganson@juneau.org</a>
Dan Bleidorn	Lands Manager	<a href="mailto:Dan.Bleidorn@juneau.org">Dan.Bleidorn@juneau.org</a>
Eddie Quinto	Permit Specialist	<a href="mailto:Edward.quinto@juneau.org">Edward.quinto@juneau.org</a>

## Conference Summary

### Questions/issues/agreements identified at the conference that weren't identified in the attached reports.

The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

### Project Overview

The applicant seeks to subdivide an 8.78 acre parcel into 63 lots in the D18 zoning district. The applicant also seeks a land trade with CBJ. Attachment A shows the conceptual land trade. The land trade would have to precede the proposed subdivision. To pursue the proposed land trade the applicant will have to apply to acquire CBJ property through a negotiated land trade. (more here based on DB notes).

A major subdivision application is required for the proposed subdivision. A major subdivision is a two-step process – the preliminary plat and the final plat. Both steps require a public hearing and approval by the Planning Commission. Due to the overall potential number of dwelling units on the parcel and the trips generated, a Traffic Impact Analysis will be needed and is required with submittal of the preliminary plat.

Requirements for the preliminary plat are listed at CBJ 49.25.411 and final plat requirements are at CBJ 49.25.412. Because this project is projected to be part of a major subdivision development, pursuant to CBJ 49.15.401(a) (1) (A), a major subdivision must be applied for.

Because the property is zoned D-18, uses would need to be consistent with the Table of Permissible Uses, CBJ 49.25.300. The lots would need to be consistent with the Table of Dimensional Standards, CBJ 49.25.400. Conceptual subdivision shows 22 pairs of panhandle lots and 19 standard lots.

During the pre-application conference the applicant mentioned the project may be phased. CBJ 49.15.411(f)(3)(D) states that if phasing is proposed then the boundaries and number of each phase, sequential lot numbering, and a subdivision name consistent with previous phases shall be shown.

### Planning Division

1. **Zoning** –D-18 (18 du/acre) with a maximum density of 158 dwelling units (8.78 acres X 18 du/acre)
2. **Subdivision** – (if a subdivision, provide lot dimensions)

Dimension	Minimum	Commonwall	Bungalow
Lot size, square feet	5,000	2,500	2,500
Lot width, feet	50 feet	20	25

Additionally:

CBJ 49.15.421 establishes dimensional standards specific to lots fronting a cul-de-sac or similar curved ROW – the Commission (for major subdivisions) makes a determination that meeting minimum lot width at the front building line in accordance with the TPU is impractical, may be reduced as necessary to achieve a reasonable lot configuration.

CBJ 49.15.423(a)(1) establishes dimensional standards specific to panhandle lots as follows:

(1)Dimensional requirements.

- A) The front and panhandle lots must meet all the dimensional and area requirements of this title.
- (B) No part of the panhandle portion of the lot shall be less than 20 feet wide.
- (C) The panhandle portion of the lot shall not be longer than 300 feet.
- (D) No buildings are allowed to be built or placed in the panhandle portion of the lot.
- (E) In a D-1 zoning district, 30 feet of the width of the panhandle of the rear lot may be used in determining the width of the front lot.
- (F) The lot width for the panhandle lot shall be the distance between its side lot lines measured behind the back lot line of the front lot.

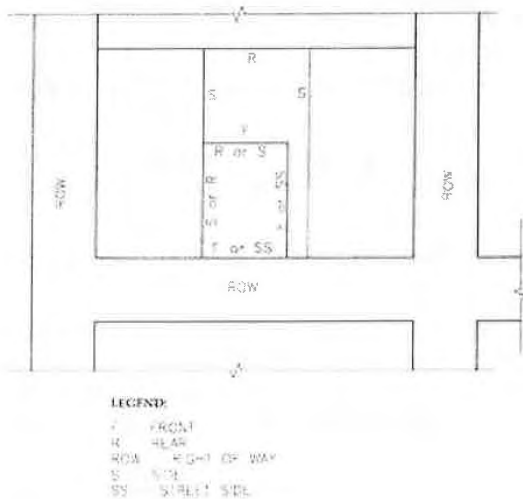
**3. Setbacks –**

- a. **Front:** 20 feet
- b. **Side:** 5 feet (commonwall 0' and 5')
- c. **Street side:** 13 feet
- d. **Rear:** 10 feet

CBJ 49.25.400 (TPU) note 3 – where one district abuts another, the greater of the two setbacks is required for both uses on the common property line. A portion of the site of the proposed project abuts a D3 zone. Setbacks for the D3 zone are as follows:

- a. **Front:** 25 feet
- b. **Side:** 10 feet
- c. **Street side:** 17 feet
- d. **Rear:** 25 feet

The image below indicates where setbacks are measured on panhandle lots.



**4. Height –**



- a. **Permissible use:** 35 feet
  - b. **Accessory use:** 25 feet
5. **Access** – via a new public right-of-way from Douglas Highway. AKDOT permits will be required for access to the state road.

Proposed access within the subdivision is shown as a 60-foot wide public right-of-way, ending in a cul-de-sac.

CBJ 49.35.240 Improvement Standards (Attachment G). Of note related to the proposal:

- CBJ 49.35.240(d)(1) requires grades on streets other than arterials must not exceed 12%. Fire Department requires no more than 10% w/out approval by the Fire Department.
- CBJ 49.35.240(d)(3) requires the minimum cross slope on all streets is 3%.
- CBJ 49.35.240(g) limits the length of streets designed to be have one end permanently closed to *no more than 600 feet in length*. Concept submitted for preapplication conference shows a cul-de-sac in excess of 600 feet. CBJ 49.35.240(g) (1) the Commission (for major subdivisions) may authorize a longer or shorter cul-de-sac if it is found that unique characteristics of the site warrant modifications.
- Additionally, CBJ 49.35.120(a) requires the developer must install all of the required improvements within the boundaries of the development, and may be required to make improvements beyond the development boundary in order for all of the improvements to function properly. In addition, *improvements must be designed and constructed to provide for future extension to adjoining lands*.
- *CBJ Lands Division indicated access to adjoining CBJ land from the proposed subdivision would be needed to gain support for the requested land trade.*
- CBJ 49.35.240(g)(2) Temporary cul-de-sac may be allowed where a street can be practically be extended to provide for connecting streets into adjoining undeveloped land. CBJ 49.35.240 requires a minimum diameter 120 feet for temporary cul-de-sacs. Temporary cul-de-sac may be permitted if all of the following are met per CBJ 49.35.240(g)(2):
  - (A)The temporary portions of the cul-de-sac shall be easements on the plat rather than as dedicated right-of-way. Such easements shall allow for public access and maintenance as if it were dedicated right-of-way until such time the easements are vacated. The easements shall not contribute towards lot area.
  - (B)All of the cul-de-sac must be constructed to permanent street construction standards except as noted in (G) below.
  - (C)The CBJ will record a release of the easements for the temporary portions of the cul-de-sac at the state recorder's office at Juneau at the time the cul-de-sac is removed and the street improvements have been extended.
  - (D)Easement lines for the temporary cul-de-sac will be considered front property lines for determining building setbacks.
  - E) All improvements, including utilities and private driveways, must be designed to accommodate the eventual extension of the street and reversion of the temporary cul-de-sac to adjoining properties. The construction plans shall demonstrate those improvements connecting through a temporary cul-de-sac will still comply with CBJ standards after the temporary cul-de-sac is removed.
  - (F) Temporary cul-de-sacs must provide required access and minimum frontage on a publically maintained right-of-way to all lots using the cul-de-sac as access. If the cul-de-sac is not extended to the adjoining property, the maximum length of an unconstructed right-of-way

between the temporary cul-de-sac and the adjoining property shall be the minimum lot width for the zoning district. If the right-of-way is located in more than one zoning district, the shortest minimum lot width shall be used. The right-of-way between the constructed temporary cul-de-sac and the adjoining property shall be subject to the stub street requirements of this Title (See Figure 3). Attachment B  
<https://mcclibrary.blob.core.usgovcloudapi.net/codecontent/13307/398872/49.35.240.g.2.png>

(G)The temporary cul-de-sac may be located on property within the subdivision intended for future subdivision phases in conjunction with a platted right-of-way. It may also be located outside the subdivision boundary entirely within an easement (See Figure 4). If the temporary cul-de-sac is constructed on property outside of the subdivision boundary, then curb, gutter, and sidewalks are not required for the temporary cul-de-sac. Figure 4 Attachment C

<https://mcclibrary.blob.core.usgovcloudapi.net/codecontent/13307/398872/49.35.240.g.2.g.png>

(H)The plat shall include the following note "Temporary cul-de-sac easement shall be vacated upon extension of street unless the director determines all or a portion of the cul-de-sac may remain."

(I)When the developer of adjoining property is required to connect to the temporary cul-de-sac, the temporary portions of the cul-de-sac shall be removed. The director, after considering public safety, costs, and recommendations of the director of engineering and public works department and of the fire marshal, shall determine if the developer may leave all or part of the temporary portions of the cul-de-sac. If any temporary cul-de-sac portion is removed, then the resulting constructed right-of-way shall conform to CBJ standards.

(3)Hammerhead turnarounds. Hammerhead turnarounds may be built in lieu of a temporary cul-de-sac, upon approval by the director of engineering and public works.

CBJ 49.35.240(I)(2) The Commission (for major subdivisions) may waive full construction of a roadway w/in a ROW that is required to provide access to a bordering property, and does not provide required access to any lot w/in the subdivision. Developer is required to demonstrate a stub street can be reasonably constructed to CBJ standards in the ROW. The Commission may require provision of a roadbed, utility line extensions, or other appropriate improvements.

With an Average Daily Trip (ADT) of more than 500 ADT the public ROW will require sidewalks on both sides, a 26 foot wide travel way width, street lights at all intersections, a 60 foot public ROW, paved and publically maintained.

6. **Parking & Circulation**– CBJ 49.15.423(3) addresses parking for panhandle lots as follows:

(3)Access and parking.

(A)Access for the lots shall be located in the panhandle. A lot fronting a right-of-way may have a separate and additional access if approved by the government entity that controls rights-of-way. Access to each lot shall be designated on the plat in the form of an easement.

(B)Off-street parking shall be provided in an amount sufficient to meet the requirements of CBJ 49.40, article II.

(C)A driveway and parking plan that shows the feasibility of off-street parking shall be submitted and approved by the director prior to recording the plat.

(D)Back out parking is prohibited unless approved by the director.

(E)The applicant must provide assurance in the form of an easement, plat note referencing the maintenance agreement, and a maintenance agreement that is recorded with the subdivision, on forms acceptable to the director, ensuring the required access and parking areas will be constructed and maintained by all future property owners.

(F)Any portion of a driveway not located in a public right-of-way shall comply with emergency service access as required by CBJ 19.10. A profile of the proposed driveway centerline shall be submitted as part of the plat application, and must meet Alaska Department of Transportation and Public Facilities or CBJ driveway standards, as appropriate based on ownership of the right-of-way.

(G)Existing driveways and access points not meeting the requirements of this section must be abandoned, and improvements thereto removed and relocated prior to plat recordation.

(H)The portion of the driveway in the right-of-way or the first 20 feet from the edge of the public roadway shall be paved, whichever length is greater.

7. **Lot Coverage** – maximum lot coverage is 50%

8. **Vegetative Coverage** – minimum vegetative cover is 30%

9. **Lighting** – With an estimated Average Daily Trips (ADT) of more than 500 ADT street lights will be required at all intersections.

10. **Noise** –N/A

11. **Flood** – FIRM panel 02110C1562E - A portion of the project site is in the A flood zone. It is also in the area of land the applicant proposes to trade to CBJ. Any development within the flood zone would require a Floodplain Development Permit from CDD. CBJ 49.70 Article IV – Flood Hazard Areas (attachment E) Issuance of a Floodplain Development Permit requires certification from the applicant that all required state and federal permits have been obtained for the development. This would include obtaining the Corps of Engineers permit to fill the area. Depending on area of the land swap –if the proposed subdivision includes areas within the flood zone the following plat note will be required:

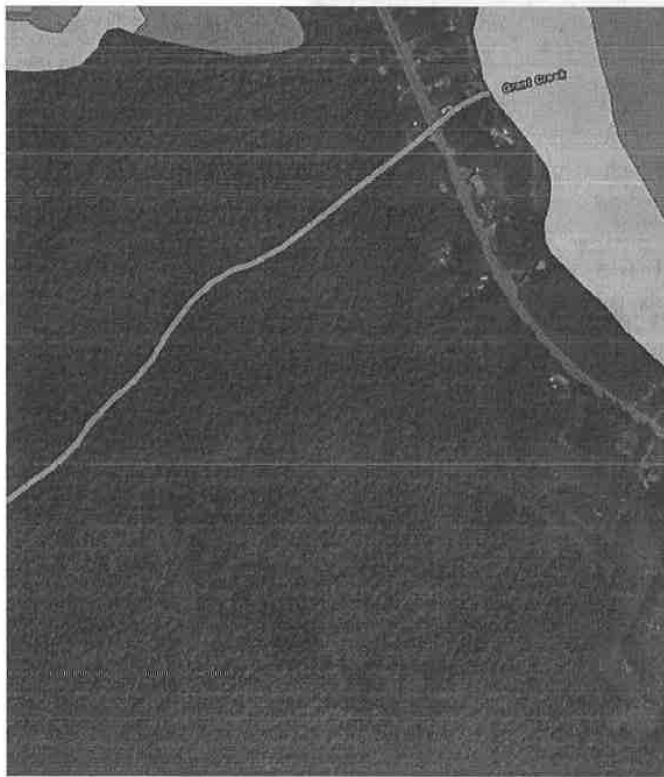
PARTS OF THIS SUBDIVISION ARE LOCATED IN A SPECIAL FLOOD HAZARD AREA ACCORDING TO THE EFFECTIVE CITY AND BOROUGH OF JUNEAU FLOOD INSURANCE RATE MAPS (FIRM) COMMUNITY PANEL #XXXXXXXXX, DATED XXXXXX X, AND XXXX. SPECIAL REGULATIONS MAY APPLY, INCLUDING DEVELOPMENT STANDARDS IN CITY AND BOROUGH OF JUNEAU TITLE 49, LAND USE CODE.



12. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – Some portions of the site may exceed 18% slope. A Hillside Endorsement may be required. A plat note may be required. Attachment D - CBJ 49.70 Article II, Hillside Endorsement.



13. **Wetlands** – According to the US Fish & Wildlife Service National Wetlands Inventory no wetlands are mapped on the site.



14. **Habitat** –

- a. **Anadromous waterbodies:** Grant Creek, which runs through the property, is an anadromous waterway and will require a 50 foot buffer from the Ordinary High Water Mark (OHWM). The area required for the 50 foot anadromous water body buffer is in the area proposed for trade with the CBJ.
- b. **Eagle Nests:** Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling.

**15. Plat or Covenant Restrictions – N/A**

**16. Traffic –** A single-family dwelling creates 9.52 average daily trips (ADTs). Based on the proposed subdivision, the applicant is seeking to create 63 individual lots for an estimated 599 ADT for the subdivision. *CBJ 49.40.300 requires a Traffic Impact Analysis (TIA) for developments projected to generate 500 or more ADT. (Attachment F)*

**17. Nonconforming situations –** None noted.

**Building Division**

**18. Building –** N/A

**19. Outstanding Permits –** None

**General Engineering/Public Works**

**20. Engineering –**

- a. At the time of preliminary plat submittal, submit an erosion control report explaining the method by which the applicant proposes to control erosion and manage runoff, and potential impacts to adjacent properties or water bodies. The report shall include a plan for preservation of ground cover in areas where runoff and resulting erosion need to be minimized.
- b. Construction plans to be submitted after the approval of the preliminary plat and before final plat submission. Construction plans must adhere to 49.35.140, CBJ Standard Specifications for Civil projects and Subdivision improvements, CBJ Standard Details and must be signed and stamped by Alaskan licensed engineers for each discipline. Construction plans for this layout of development does not need to include all phases of full buildout of development. For specific requirements, please refer to CBJ code by visiting: CBJ Code – City and Borough of Juneau and referencing chapter 49.35 – Public and Private Improvements.
- c. Prior to final plat, an Engineer’s estimate for the installation of public improvements must be submitted. Once this is received, a performance bond amount will be determined and must be paid/posted prior to recording of the final plat. Further discussion regarding the bond can take place once the project phasing is determined. For all options regarding the financial guarantee, please refer to 49.55 – Financial Responsibility.
- d. Dependent on the construction plan and schedule an inspection deposit will be required and a private inspector may be hired.
- e. Easements: Site plan and plat shall include all existing and proposed easements for drainage, utility lines including plumbing lines, access, snow storage, trash (dumpster) storage, or any other shared use that requires crossing the property line.
- f. Permits required will be determined by the subdivision process you follow. They may include Right-of-way permit, grading permit, water utility permit, and sewer utility permit.

**21. Drainage –**

- a. Drainage report with the submittal of the preliminary plat does not need to be engineered. At time of construction plan submittals a drainage plan with calculations must be submitted and must be signed and stamped by an Alaskan licensed engineer.
- b. Preliminary plat requirements do need to be followed, see 49.15.411 - Preliminary plat requirements for full listing. Please do note that topographic information shall be shown as outlined under 48.15.411, (6) – Topographic Information.

**22. Utilities – (water, power, sewer, etc.)**

- a. At time of preliminary plat, a draft plan for the proposed water and sewer lines shall be submitted showing existing installed utilities including line sizing and connection points with elevations.
- b. A report by a registered engineer or geologist that clearly supports the legal and physical availability of adequate water. Methods for proof of water availability and the standards for quantity are listed in CBJ 49.35, article III. Specifically for your project, it may require additional upgrades to the existing water system.

**Fire Marshal**

- 23. **Fire Items/Access –**
- 24. Fire apparatus turn around when greater than 150 foot in length.
- 25. Due to only one road in or out of subdivision, and anything greater than 30 homes, then every home built will have to have a residential sprinkler system installed.
- 26. Additional fire hydrants minimum of every 500 feet, even with residential sprinkler systems installed additional hydrants must be provided to augment sprinkler oppression capability.
- 27. Adequate water pressure will need to be verified. Possible need a booster pump for most remote home or lot to be built on.

**Lands Department**

- 28. The process for applying to purchase city property was outline to the Applicant at this meeting. The applicant should consider maximizing density on CBJ property involved in a trade and the CBJ is also looking to gain an access route to CBJ property in this area. The Assembly authorizes disposals by adopting ordinances. A completed application is needed prior to starting the Assembly review process.

**Other Applicable Agency Review**

- 29. AKDOT&PF
- 30. U.S. Army Corps of Engineers – (907) 753-2689
- 31. U.S. Fish & Wildlife

**List of required applications**

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review.

- 1. Development Permit Application
- 2. Subdivision Application

### 3. Preliminary Plat Check List

#### **Additional Submittal Requirements**

Submittal of additional information, given the specifics of the development proposal and site, are listed below. These items will be required in order for the application to be determined Counter Complete.

1. A copy of this pre-application conference report.
2. Traffic Impact Analysis in accordance with CBJ 49.40.300 (attachment F)
3. Preliminary drainage plan
4. Preliminary water and sewer plan
5. A driveway and parking plan that shows the feasibility of off-street parking for panhandle lots.
6. Draft maintenance agreement ensuring the required access and parking areas will be constructed and maintained by all future property owners for panhandle lots.
7. Applicable items listed under the General Engineering section of this report
- 8.

#### **Exceptions to Submittal Requirements**

Submittal requirements staff has determined **not** to be applicable or **not** required, given the specifics of the development proposal, are listed below. These items will **not** be required in order for the application to be reviewed.

1. None

#### **Fee Estimates**

The preliminary plan review fees listed below can be found in the CBJ code section 49.85.

Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

1. Major Subdivision Preliminary Plat - \$110.00 per lot
2. Major Subdivision Final Plat - \$70.00 per lot
3. Public Notice Sign Fee - \$50.00 plus \$100.00 refundable deposit (x2). (one for the preliminary plat and one for the final plat)
- 4.

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

#### **Submit your Completed Application**

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

OR in person with payment made to:

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

Phone: (907) 586-0715

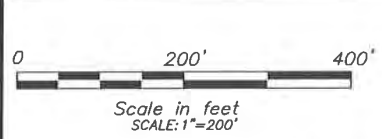
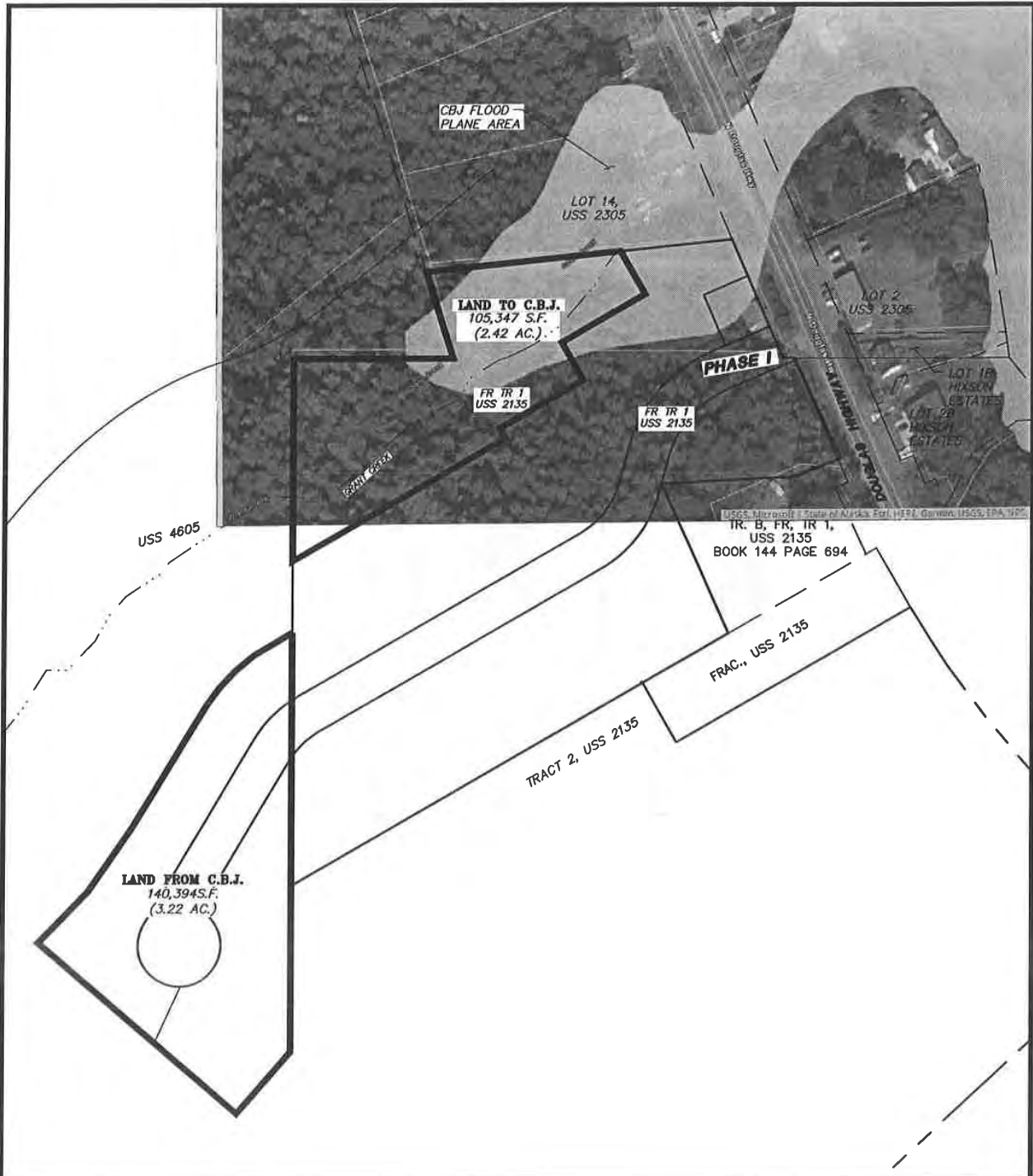
Web: [www.juneau.org/community-development](http://www.juneau.org/community-development)



**Attachments:**

- A – Proposed Land Trade
- B – Figure 3 –temporary cul-de-sac
- C – Figure 4 – temporary cul-de-sac
- D – 49.70 Article II Hillside Development
- E - 49.70 Article IV Flood Hazard Areas
- F- 49.40 Article III Traffic
- G- 49.35.240 Improvement Standards
- H- 49.15.423 Panhandle Lots

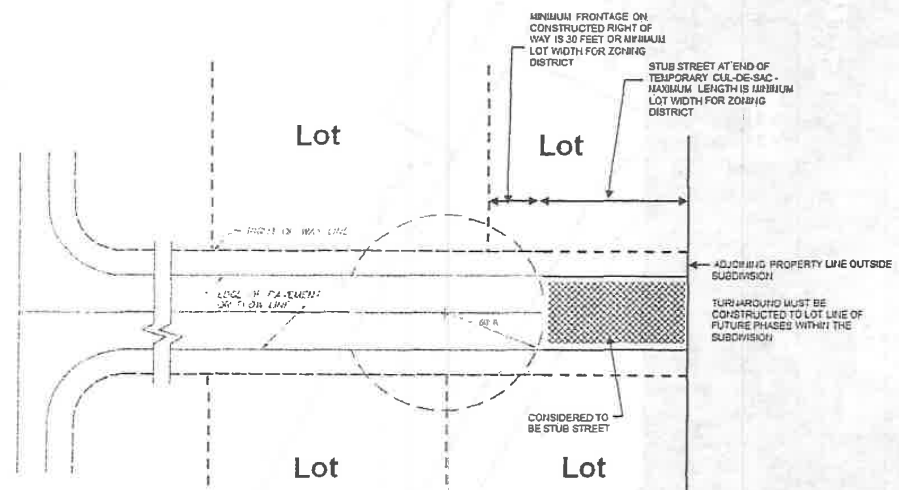
9/03/2020 14:308 PM AST  
E:\GDM\WALSH\GRANT CREEK\GRANT CRK PH-I&II-7142021.DWG

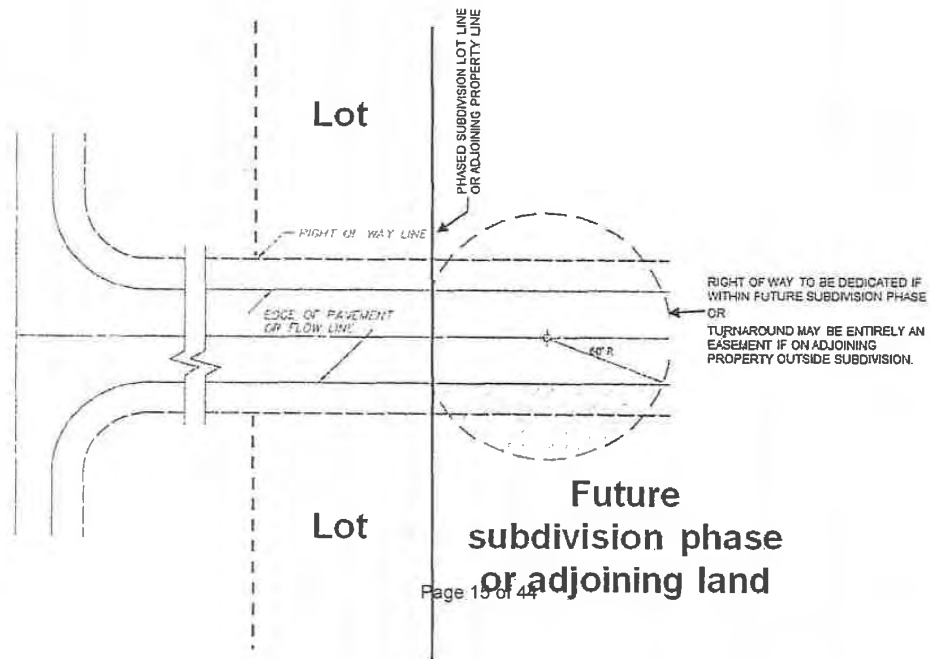


A PLAT  
FOR PROPOSED LAND TRADE  
BETWEEN GRANT CREEK HOMES  
AND THE CITY AND BOROUGH OF  
JUNEAU, ALASKA

DRAWN BY: GDM GRAPHICS DATE: 9/03/2021

WALSH PLANNING & DEVELOPMENT





Attachment A - Application Packet

## ARTICLE II. HILLSIDE DEVELOPMENT

### 49.70.200 Purposes.

The purposes of this article are to:

- (1) Ensure that hillside development provides erosion and drainage control to protect adjoining parcels;
- (2) Protect waterways from sedimentation and pollution;
- (3) Minimize injury or damage to people or property from natural or artificial hazards in hillside development; and
- (4) Minimize any adverse aesthetic impact of hillside development.

(Serial No. 87-49, § 2, 1987)

### 49.70.210 Applicability and scope.

- (a) This article applies to all development on hillsides in the City and Borough that involves the following:
  - (1) Removal of vegetative cover;
  - (2) Excavation of any slope in excess of 18 percent;
  - (3) Creation of a new slope in excess of 18 percent for a vertical distance of at least five feet; or
  - (4) Any hazard area identified on the landslide and avalanche area maps dated September 9, 1987, consisting of sheets 1—8, as the same may be amended from time to time by the assembly by ordinance or any other areas determined to be susceptible to geophysical hazards.
- (b) All hillside development endorsement applications shall be reviewed by the planning commission, except the following may be reviewed by the director:
  - (1) An excavation below finished grade for basements and footings of a building, a retaining wall or other structure authorized by a building permit, provided that this shall not exempt any fill made with the material from such excavation nor any excavation having an unsupported height greater than two feet after the completion of the associated structure.
  - (2) Graves.
  - (3) Mining, quarrying, excavating, processing, or stockpiling of rock, sand, gravel, aggregate or clay provided such operations do not affect the location or peak volume of runoff, the location or amount of standing water, or the lateral support for, the stresses in, or the pressure upon, any adjacent or contiguous property.
  - (4) Exploratory excavations less than 200 square feet in area and under the direction of a civil engineer with knowledge and experience in the application of geology in the design of civil work.
  - (5) An excavation which:
    - (A) Is less than two feet in depth and covers less than 200 square feet; or

- (B) Does not create a cut slope greater than five feet in height or steeper than one and one-half horizontal to one vertical.
- (6) A fill less than one foot in depth and intended to support structures which fill is placed on natural terrain with a slope flatter than five horizontal to one vertical, which does not exceed 20 cubic yards on any one lot and which does not obstruct a drainage course.
- (7) A fill less than three feet in depth and not intended to support structures which fill is placed on natural terrain on a slope flatter than five horizontal to one vertical, which does not exceed 50 cubic yards on any one lot and which does not obstruct a drainage course.
- (8) Minor development.

(Serial No. 87-49, § 2, 1987; Serial No. 2006-15, § 22, 6-5-2006; Serial No. 2015-03(c)(am), § 51, 8-31-2015 )

**49.70.220 Hillside development endorsement application.**

- (a) All development on hillsides shall be pursuant to a hillside development endorsement.
- (b) The developer shall apply for and obtain a hillside development endorsement prior to any site work other than land and engineering surveys and soils exploration.

(Serial No. 87-49, § 2, 1987; Serial No. 2015-03(c)(am), § 52, 8-31-2015 )

**49.70.230 Fees.**

The City and Borough shall charge the developer the gross hourly rate for professional review of the application and for inspection. The developer shall deposit one percent of the value of the site development, excluding that portion of the site determined by the engineer to be subject to a public transmission facility permit, in a specially designated reserve account, against which the City and Borough may bill its documented time and expenses. The developer shall promptly replenish this amount when requested, and no endorsement may be issued if there is any deficiency in the developer's reserve account. All unexpended funds in the reserve account shall be returned to the developer upon final approval of development or when the engineer is satisfied that the work under the hillside development endorsement has been completed and the requirements of this chapter have been met.

(Serial No. 87-49, § 2, 1987)

**49.70.240 Application.**

The application shall be accompanied by the following materials, which shall be signed and stamped by a civil engineer, architect, geologist or land surveyor licensed in the State of Alaska:

- (1) A vicinity map, at a clear and legible scale, showing roads, place and street names and natural waterbodies.
- (2) Site maps, showing the present condition of the site at a clear and legible scale compatible with the size of the development and including:
  - (A) Two-foot contours for flat terrain or five-foot contours for steep terrain and extending 50 feet in all directions beyond the development site; 12 percent line, 30 percent line;
  - (B) Water bodies, tidelands and drainage ways from the development site to accepting natural waterbody;

- (C) Lot boundaries and easements for the site and adjacent lots; and
  - (D) Existing improvements on the site and adjacent lots, including structures, roads, driveways and utility lines.
- (3) The application shall include a finished proposed site plan at a clear and legible scale that includes the following information:
- (A) Finished grade at two-foot contours for flat terrain or five-foot contours for steep terrain and extending 50 feet in all directions beyond the development site; 12 percent line, 30 percent line.
  - (B) Water bodies, tidelands and drainage ways, and temporary and permanent drainage systems from the development site to the accepting natural waterbody.
  - (C) Lot boundaries, easements and setback lines.
  - (D) The location of improvements including structures, roads, driveways, utility lines, culverts, walls and cribbing.
  - (E) Clearing limits of existing vegetative cover.
  - (F) A cross section of the development site.
- (4) The application shall include detailed engineering drawings of roads, driveways, parking areas, structural improvements for foundations, off-site stormwater runoff systems; cross sections and road elevations.
- (5) A description of the source and type of any off-site fill, and the site for depositing excess fill.
- (6) A landscaping plan, including all trees to be retained in excavation areas, all plant species and locations; temporary slope protection measures; erosion and siltation control measures; seeding or sodding materials, a planting and maintenance program; and methods of stabilization and protection of bare slopes.
- (7) An engineering geologic report, including a summary of the relevant surface and bedrock geology of the site, a discussion of active geologic processes with conclusions and recommendations regarding the effect of geologic factors on the proposed development; data regarding the nature, distribution and relevant parameters of existing soils, recommendations for grading procedures; design criteria for corrective measures as necessary, and recommendations covering the suitability of the site for the proposed development.
- (8) A work schedule, by phase.
- (9) Such other different or more detailed submissions as may be required.
- (Serial No. 87-49, § 2, 1987; Serial No. 2015-03(c)(am), § 54, 8-31-2015 )

**49.70.250 Standards for approval.**

Hillside development shall meet the following minimum standards:

- (1) *Roads.* The City and Borough road standards shall apply to hillside development, except that:
  - (A) *Modification of standards.* The engineer or planning commission may modify road standards as identified in subsections (1)(B) and (C) of this section, if:
    - (i) The developer's traffic analysis and circulation, land ownership, and development patterns indicate future use of the roadway at less than collector street levels;

- (ii) The modification would enable the development to meet, or more closely approximate, the criteria set forth in section 49.70.260; and either
  - (iii) The proposed road or access in question would result in a permanent cul-de-sac; or
  - (iv) A secondary access to the proposed development exists or will be developed as a part of the project.
- (B) *Road width.* The width of a section of residential roadway may be narrowed to 20 feet, with a single four-foot pedestrian way and underground storm drain system, if:
- (i) The section is not more than 200 feet in length, and is separated from other such sections by at least 100 feet of standard roadway;
  - (ii) No entrances, intersections or parking are allowed in the section;
  - (iii) Guard rails, if any, are designed to permit the passage of plowed snow;
  - (iv) There is at least a 200-foot line of sight along the centerline of the section;
  - (v) The section enables the development to meet, or more closely approximate, the criteria set forth in section 49.70.260;
  - (vi) Grouped off-street parking spaces are provided at the entry to the section; and
  - (vii) Adequate provision is made for storage of snow.
- (C) *Road grade.* The grade of a section of residential roadway may be increased to a maximum of 15 percent if:
- (i) The section is not more than 200 feet in length and separated from other such sections by at least 100 feet of roadway;
  - (ii) No entrances or intersections are allowed in the section;
  - (iii) Through intersections at the end of the section have approaches at least 50 feet long measured from the edge of the traveled way of the crossroad and are at a grade of eight percent or less; intersections requiring a full stop have approaches no less than 20 feet long at a grade of two percent or less, or no less than 50 feet long at a grade between two and six percent;
  - (iv) Any guard rails are designed to permit the passage of plowed snow;
  - (v) All sight distances conform to standards of the American Association of State Highway and Transportation Officials; and
  - (vi) The section enables the development to meet, or more closely approximate, the criteria set forth in section 49.70.260.
- (2) *Weather.* The engineer may prohibit a developer from earthmoving during periods of very wet soil conditions, in which case the permit shall be extended by a like period.
- (3) *Sediment.* The developer shall not allow any increase in sediment to flow off-site during or after construction if such would be likely to cause an adverse impact on a down slope lot or waterbody.
- (4) *Peak discharge.* The developer shall ensure that during and after construction of major development, the peak discharge of all streams and natural drainage ways at the down slope boundary shall be no greater than that occurring prior to excavation.

(Serial No. 87-49, § 2, 1987)



#### **49.70.260 Criteria.**

The commission or director shall consider the extent to which the development meets the following criteria:

- (1) *Soil erosion.* Soil disturbance and soil erosion shall be minimized and the effects thereof mitigated.
- (2) *Existing vegetation.* Depletion of existing vegetation shall be minimized.
- (3) *Contours.* The developer shall recontour the finished grade to natural-appearing contours which are at or below 30 percent or the natural angle of repose for the soil type, whichever is lower, and which will hold vegetation.
- (4) *Time of exposure and soil retention.* The developer shall minimize the period of time that soil is exposed and shall employ mats, silt blocks or other retention features to maximize soil retention.
- (5) *Replanting.* The developer shall mat, where necessary, and plant all exposed soil in grass or other soil-retaining vegetation and shall maintain the vegetation for one full growing season after planting.
- (6) *Drainage.* The developer shall minimize disturbance to the natural course of streams and drainage ways. Where disturbance is unavoidable, the developer shall provide a drainage system or structures which will minimize the possibility of sedimentation and soil erosion on-site and downstream and which will maintain or enhance the general stream characteristics, spawning quality, and other habitat features of the stream and its receiving waters. Where possible, development shall be designed so lot lines follow natural drainage ways.
- (7) *Foundations.* The developer shall ensure that buildings will be constructed on geologically safe terrain.
- (8) *Very steep slopes.* The developer shall minimize excavation on slopes over 30 percent.
- (9) *Soil retention features.* The developer shall minimize the use of constructed retention features. Where used, their visual impact shall be minimized through the use of natural aggregate or wood, variation of facade, replanted terraces, and the like.
- (10) *Wet weather periods.* The developer shall minimize exposure of soil during the periods of September 1—November 30 and March 1—May 1.

(Serial No. 87-49, § 2, 1987; Serial No. 2015-03(c)(am), § 54, 8-31-2015 )

#### **49.70.270 Conditions on approval.**

The commission or director may place conditions upon a hillside development endorsement as necessary or desirable to ensure that the spirit of this chapter will be implemented in the manner indicated in the application. Fulfillment of conditions shall be certified by the engineer. The conditions may consist of one or more of the following:

- (1) *Development schedule.* The commission or director may place a reasonable time limit on or require phasing of construction activity associated with the development or any portion thereof, in order to minimize construction-related disruption to traffic and neighbors or to ensure that the development is not used or occupied prior to substantial completion of required improvements.
- (2) *Dedications.* The commission or director may require conveyances of title or other legal or equitable interests to public entities, public utilities, a homeowner's association, or other common entities. The developer may be required to construct any public facilities, such as drainage retention areas, to City and Borough standards prior to dedication.

- (3) *Construction guarantees.* The commission or director may require the posting of a bond or other surety or collateral providing for whole or partial releases, in order to ensure that all required improvements are constructed as specified in the approved plans.
- (4) *Lot size.* If justified by site topography, the commission or director may require larger lot areas than prescribed by zoning requirements.

(Serial No. 87-49, § 2, 1987; Serial No. 2015-03(c)(am), § 55, 8-31-2015 )

## ARTICLE IV. FLOOD HAZARD AREAS<sup>1</sup>

### 49.70.400 Floodplain.

- (a) *Purpose.* The purpose of this article is to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas. Other purposes are to:
- (1) Reserved;
  - (2) Prevent the erection of structures in areas unfit for human usage by reason of danger from flooding, unsanitary conditions, or other hazards;
  - (3) Minimize danger to public health by protecting the water supply and promoting safe and sanitary drainage;
  - (4) Reduce the financial burdens imposed on the community, its governmental units, and its individuals by frequent and periodic floods and overflow of lands;
  - (5) Reserved;
  - (6) Ensure that potential buyers are notified that property is in a special flood hazard area; and
  - (7) Ensure that those who occupy the special flood hazard area assume financial responsibility for their development.
- (b) *Interpretation.*
- (1) In the interpretation and application of this article, all provisions are considered minimum requirements and are liberally construed in favor of the governing body.
  - (2) This article is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where the provisions of this article and another ordinance conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
  - (3) This article shall apply to all areas of special flood hazard areas (SFHAs) within the jurisdiction of the City and Borough of Juneau.
  - (4) The special flood hazard areas identified by the Federal Insurance Administrator (FIA) in a scientific and engineering report entitled the "Flood Insurance Study" (FIS) and the flood insurance rate maps (FIRMs) dated September 18, 2020 for the City and Borough of Juneau, Alaska are adopted. The FIS and FIRMs shall be on file with the community development department and available to the public at 155 South Seward Street, Juneau, Alaska.
- (c) *Implementation.* The director is responsible for administering and implementing the provisions of this chapter and is responsible for maintaining for public use and inspection appropriate records and information relevant to implementation of this chapter. Such records and information must include:

<sup>1</sup>Cross reference(s)—Building regulations, tit. 19.

- (1) Actual elevations, in relation to mean lower low water, of the lowest floor, including basement, of all new or substantially improved structures located in the special flood hazard area (SFHA), and whether or not such structures have basements;
  - (2) Actual elevations, in relation to mean lower low water, of all new and substantially improved floodproofed structures and the required floodproofing certifications;
  - (3) Flood insurance studies (FISs);
  - (4) Flood insurance rate maps (FIRMs);
  - (5) Any reports or studies on flood hazards in the community, such as written reports by the U.S. Army Corps of Engineers, U.S. Geological Survey, or private firms provided to the director; and
  - (6) A file of all floodplain permit applications, permits, exceptions, and supporting documentation.
- (d) *Enforcement.* Enforcement of this chapter is per CBJ 49.10.600—49.10.660.
- (e) *Floodplain development permit required.* A floodplain development permit is required for any development or industrial uses located within a special flood hazard area, including placement of manufactured homes. The director must:
- (1) Review all floodplain development permit applications for development in the special flood hazard area for compliance with the provisions of this chapter, and to determine if other permits may be necessary from local, state, or federal governmental agencies.
  - (2) Interpret the location of the special flood hazard area boundaries and regulatory floodway. If there appears to be a conflict between a mapped boundary and actual field conditions, the director must determine and interpret the documents. When base flood elevation data has not been provided, the director shall obtain, review, and reasonably utilize base flood elevation and floodway data available from any federal, state, municipal, or any other source to implement the provisions of this chapter.
  - (3) If the director determines that a proposed development is within a special flood hazard area, a permit fee must be collected and the following information must be provided before processing a floodplain development permit:
    - (A) Elevation of the lowest floor, including a basement, of all structures;
    - (B) Elevation to which any structure has been floodproofed;
    - (C) Certification by an engineer or architect that the floodproofing methods for any nonresidential structure meet generally accepted floodproofing standards;
    - (D) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development;
    - (E) Description of the plan for maintenance of the altered or relocated portion of the watercourse so that the flood-carrying capacity is not diminished; and
    - (F) When base flood elevation data have not been provided, the director shall obtain, review and reasonably apply any base flood elevation and floodway data available from federal, state or other sources.
- (f) *Methods of reducing losses.* In order to accomplish its purpose, this article includes methods and provisions to:
- (1) Restrict or prohibit uses that are dangerous to health, safety, and property due to water or erosion hazards, or that result in damaging increases in erosion or flood heights or velocities;

- (2) Require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
  - (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
  - (4) Control filling, grading, dredging, and other development that may increase flood damage; and
  - (5) Prevent or regulate the construction of flood barriers that will unnaturally divert floodwaters or that may increase flood hazards in other areas.
- (g) *General standards for flood hazard protection.* In special flood hazard areas the following standards apply:
- (1) *Anchoring.*
    - (A) Design, modify, and anchor new construction and substantial improvements to prevent flotation, collapse, or lateral movement of the structure(s).
    - (B) A manufactured home must be anchored to prevent flotation, collapse, or lateral movement and be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors.
    - (C) An alternative method of anchoring may be used if the system is designed to withstand a wind force of 90 miles per hour or greater. Certification must be provided to the director that this standard is met.
  - (2) *Construction materials and methods.*
    - (A) Construct new construction and substantial improvements with materials and utility equipment resistant to flood damage.
    - (B) Use methods and practices that minimize flood damage for new construction and substantial improvements.
    - (C) Design or locate electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities so as to prevent water from entering or accumulating within the components during conditions of flooding.
    - (D) Require adequate drainage paths around structures on slopes to guide floodwaters away from existing and proposed structures for new construction and substantial improvements within zones AH and AO.
  - (3) *Utilities.*
    - (A) Design new and replacement water supply systems to minimize or eliminate infiltration of floodwaters into the system.
    - (B) Design new and replacement sanitary sewage systems to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters.
    - (C) Locate on-site waste disposal systems to avoid impairment to them or contamination from them during flooding.
  - (4) *[Subdivision and development proposal criteria.]* Subdivision and development proposals must meet the following criteria:
    - (A) Be designed to minimize flood damage;
    - (B) Locate and construct utilities and facilities, such as sewer, gas, electrical, and water systems to minimize flood damage;

- (C) Provide adequate drainage to reduce exposure to flood damage; and
  - (D) Include base flood elevation data if the development consists of at least 50 lots or five acres, whichever is the lesser. If base flood elevation data is not available, the proposal must provide the data and backup information for how the base flood elevation data was generated for the proposal.
- (5) *[Floodplain development permit requirements.]* Review of floodplain development permits must include:
- (A) Review of the flood insurance rate map and flood insurance study for flood zone determinations for new or substantially improved structures;
  - (B) For new or substantially improved structures:
    - (i) Submittal of the proposed and finished lowest floor elevations in zones A, AE, AO, and AH.
    - (ii) Submittal of the proposed and finished bottom elevation of the lowest horizontal structural member of the lowest floor and its distance from the mean lower low water mark in zones V and VE; and
    - (iii) Submittal of specific requirements for zones V and VE as set forth in subsection 49.70.400(i).
  - (C) In zones A and V, where elevation data are not available through the flood insurance study or from another authoritative source, applications for floodplain development permit shall be reviewed to ensure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and may be based on historical data, high water marks, photographs of past flooding, and other similar or relevant data. Failure to elevate construction at least two feet above grade in these zones may result in higher insurance rates.
  - (D) Provision of an elevation certificate to demonstrate that the lowest floor of a structure is at or above base flood elevation. The certification must be provided on a form approved by the National Flood Insurance Program and prepared by a registered land surveyor or professional engineer who is licensed in the State of Alaska and authorized to certify such information. This requirement may be waived by the director if an approved record elevation demonstrates that the lowest floor is substantially above the base flood elevation due to natural ground level.
- (6) *Other permits.* The applicant must certify that all other necessary permits have been obtained from any federal or state governmental agencies.
- (7) *[Maintaining watercourse.]* Maintain altered or relocated portions of a special flood hazard area mapped watercourse so that the flood-carrying capacity is not diminished. The department must notify the state coordinating agency, if any, and the Federal Emergency Management Agency prior to issuance of a floodplain development permit that seeks to alter or relocate any watercourse within a special flood hazard area.
- (h) *Specific standards for flood hazards protection.* In special flood hazard areas where base flood elevation data is provided, the following provisions are required:
- (1) *New structures or substantial improvements.* Fully enclosed areas below the lowest floor of new construction or substantial improvements, that are useable solely for parking of vehicles, building access, or storage in an area other than a basement, must automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect licensed in the State of Alaska or must meet or exceed the following minimum criteria:

- (A) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
  - (B) Height of the bottom of all openings must be no higher than one foot above grade; and
  - (C) Openings may be equipped with screens, louvers, or other coverings or devices provided that the automatic entry and exit of floodwaters is allowed.
- (2) *Residential construction.* New construction and substantial improvement of any residential structure:
- (A) Construct the lowest floor, including basement, elevated to or above the base flood elevation within zones A, AE, or AH; or
  - (B) Construct the lowest floor elevated to the base flood depth number specified on the flood insurance rate map, or higher, or if no depth number is specified, at least two feet above the highest adjacent natural grade within zone AO.
- (3) *Manufactured homes.* New or substantially improved manufactured homes must:
- (A) Be placed at or above, the base flood elevation, within zones A, AH, or AE, and shall be elevated to, or above, the base flood elevation, and comply with subsection (g); or
  - (B) Elevate the lowest floor to the depth number specified on the flood insurance rate map, or higher, or if no depth number is specified, at least two feet above the highest adjacent natural grade within zone AO; and meet the provisions of subsection (g)(1).
- (4) *Recreational vehicles.* Recreational vehicles placed within any special flood hazard area must be:
- (A) Situated on the site for fewer than 180 consecutive days;
  - (B) Fully licensed, operational, and approved for road use; or
  - (C) Meet the requirements of subsection (h)(3).
- (5) *Nonresidential construction.* New construction or substantial improvement of any nonresidential structure must:
- (A) Elevate the lowest floor, including basement, to or above the base flood elevation within zones A, AE, and AH;
  - (B) Elevate the lowest floor to the depth number specified on the flood insurance rate map, or higher, or if no depth number is specified, at least two feet above the highest adjacent natural grade within zone AO; or
  - (C) Floodproof the area below the base flood elevation within zones A, AE, AH, and AO, so that:
    - (i) The structure and utility and sanitary facilities are watertight with walls substantially impermeable to the passage of water;
    - (ii) Structural components shall have the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
  - (D) A floodproof structure must be designed by an engineer or architect licensed in the State of Alaska, certifying that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on the engineer's or architect's development or review of the structural design, specifications, and plans. Certification must be provided to the director;
  - (E) Applicants proposing to floodproof nonresidential buildings must be notified at the time of floodplain development permit application that flood insurance premiums are based on rates that are one foot below the floodproofed level.

- (6) *Industrial uses.* Industrial uses within the special flood hazard area are subject to the following provisions:
  - (A) Sand and gravel operations, recreation activities, open space, and parking lots may be allowed in 100-year floodplains if the use does not increase the flood hazard.
  - (B) Industrial equipment and raw materials stored in 100-year floodplains must be adequately bermed or otherwise protected.
  - (C) Disposal of hazardous materials in 100-year floodplains is prohibited. No new development that involves storage of hazardous materials will be permitted in the 100-year floodplain unless there is no feasible and prudent alternative and adequate safety measures are provided to prevent accidental discharge.
  - (D) Establishment of sanitary landfills in floodplains is prohibited.
- (7) *Increasing water surface elevation in special flood hazard area mapped watercourses where floodways are not mapped.* Notwithstanding any other provisions of this article, development in zones A, AE, and AH may increase the water surface elevation of the base flood:
  - (A) Up to one foot with the submittal of an analysis completed by an engineer licensed in the State of Alaska demonstrating the cumulative effects of the proposed, existing and anticipated, development to the base flood; or
  - (B) By more than one foot only after a conditional letter of map revision and final letter of map revision is approved by the Federal Emergency Management Agency flood insurance administrator.
- (i) *Additional provisions in floodways.*
  - (1) Residential and nonresidential structures are prohibited in floodways, no exceptions apply. Culverts and bridges are not subject to this prohibition.
  - (2) Encroachments, including fill, new construction, and other development, except subdivisions, within a floodway are prohibited unless an engineer licensed in the State of Alaska submits a hydrologic and hydraulic analyses to the director indicating that the encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge. The hydrologic and hydraulic analyses must be performed in accordance with standard engineering practice acceptable by the Federal Emergency Management Agency.
  - (3) Development along a floodway cannot increase the water surface elevation unless a conditional letter of map revision and final letter of map revision that revises the floodway are approved by the Federal Emergency Management Agency.
- (j) *Additional provisions in zones VE and V.*
  - (1) New construction and substantial improvements in zones V and VE must be elevated on pilings and columns so that:
    - (A) The bottom of the lowest horizontal structural member of the lowest floor, excluding the pilings or columns, is elevated to or above the base flood elevation; and
    - (B) The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values must each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval). Wind loading values used are those required by applicable state statute and local code. A registered professional engineer or architect licensed in the State of Alaska must develop or review the



structural design, specifications, and plans for the construction and must certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of subsections (j)(1)(A) and (B) of this section.

- (C) The use of fill for structural support of buildings is prohibited.
- (2) In zones VE and V, new habitable construction must be located landward of the reach of mean high tide.
- (3) In zones VE and V, new construction and substantial improvements must have the space below the lowest floor either free of obstruction or constructed with nonsupporting breakaway walls, open wood latticework, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system.
- (4) Breakaway walls must have a design safe loading resistance of not less than ten pounds per square foot and no more than 20 pounds per square foot. Use of breakaway walls that exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or state codes) may be permitted only if a registered professional engineer or architect licensed in the State of Alaska certifies that the designs proposed meet the following conditions:
  - (A) Breakaway wall collapse must result from a water load less than that which would occur during the base flood; and
  - (B) The elevated portion of the building and supporting foundation system must not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum wind and water loading values to be used in this determination must each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval). Wind loading values used shall be those required by applicable state statute and local code.
- (C) Enclosed space within breakaway walls are limited to parking of vehicles, building access, or storage. Such space must not be used for human habitation.
- (k) *Warning and disclaimer of liability.* The degree of flood protection required by this article is intended for minimum regulatory purposes only and is based on general scientific and engineering principles. Floods larger than expected, can and will occur. Flood heights may be increased by human or natural causes. This article does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the City and Borough, any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision made thereunder.

(Serial No. 87-49, § 2, 1987; Serial No. 90-46, §§ 2—9, 1990; Serial No. 2013-19(b), § 2, 7-15-2013 ; Serial No. 2020-42, § 2, 8-24-2020, eff. 9-23-2020 ; Serial No. 2021-06, § 2, 4-26-2021, eff. 5-26-2021)

#### **49.70.410 Exceptions.**

- (a) The planning commission shall hear all applications for an exception from the provisions of this article, and are limited to the powers granted in this article and those necessarily implied to ensure due process and to implement the policies of this article.
- (b) In passing upon such application, the planning commission must consider all technical evaluations, relevant factors, standards specified in other sections of this article, and:

- (1) The danger that materials may be swept onto other lands and cause injury to other persons or property;
  - (2) The danger to life and property due to flooding or erosion damage;
  - (3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - (4) The importance of the services provided by the proposed facility to the community;
  - (5) The necessity to the facility of a waterfront location, where applicable;
  - (6) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
  - (7) The compatibility of the proposed use with existing and anticipated development;
  - (8) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
  - (9) The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - (10) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
  - (11) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- (c) Exceptions may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing subsections (b)(1)—(b)(11) of this section have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the exception increases.
- (d) Upon consideration of the factors of subsection (b) of this section and the purposes of this article, the commission may deny or grant the application and may attach such conditions to the grant of an exception as it deems necessary to further the purposes of this article.
- (e) Exceptions may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the state inventory of historic places, without regard to the procedures set forth in the remainder of this section.
- (f) Exceptions must not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (g) Exceptions must only be issued upon a determination that the exception is the minimum necessary, considering the flood hazard, to afford relief.
- (h) Exceptions must only be issued upon:
- (1) A showing of good and sufficient cause;
  - (2) A determination that failure to grant the exception would result in exceptional hardship to the applicant; and
  - (3) A determination that the granting of an exception will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances or conflict with existing local laws or ordinances.
- (i) Reserved.

- (j) Warning and disclaimer of liability. The degree of flood protection required by this article is intended for minimum regulatory purposes only and is based on general scientific and engineering principles. Floods larger than expected, can and will occur. Flood heights may be increased by manmade or natural causes. This article does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the City and Borough, any officer or employee thereof, or the Federal Insurance Administration for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

(Serial No. 87-49, § 2, 1987; Serial No. 90-46, § 10, 1990; Serial No. 2021-06, § 3, 4-26-2021, eff. 5-24-2021)

## ARTICLE III. TRAFFIC<sup>1</sup>

### 49.40.300 Applicability.

- (a) A traffic impact analysis (TIA) shall be required as follows:
  - (1) A development projected to generate 500 or more average daily trips (ADT) shall be required to have a traffic impact analysis.
  - (2) A development projected to generate fewer than 250 ADT shall not be required to have a traffic impact analysis.
  - (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.
  - (4) The applicant shall provide the traffic projections for the project, and the department will review and approve the final figures.
  - (5) A TIA must be prepared by a licensed engineer, or a transportation planner, with traffic analysis experience, approved by the director.
- (b) The department shall require the applicant to contact the Alaska Department of Transportation and Public Facilities to determine whether a state permit or TIA will be required.

(Serial No. 2008-01, § 2, 1-28-08)

### 49.40.305 Traffic impact analysis (TIA) requirements.

- (a) A TIA prepared under this section must identify and assess the impacts of the proposed development on all affected transportation systems. The TIA shall identify any effective development design or operational measures that would mitigate impacts of a development on transportation systems. The study area for the TIA shall be that area in which it is anticipated that the proposed development will increase ADT by five percent or more.
- (b) A TIA must forecast traffic generated by a development in accordance with the most recent edition of Institute of Traffic Transportation Engineers' Trip Generation Handbook.
- (c) A TIA must address the following items:
  - (1) Intersections and segments of roadways where the ADT on any approach to an intersection is anticipated to increase by five percent or more due to the proposed development;

<sup>1</sup>Editor's note(s)—Serial No. 2008-01, § 2, adopted January 28, 2008, effective February 28, 2008, repealed former Art. III, §§ 49.40.300, 49.40.310 and enacted provisions designated as a new Art. III to read as herein set out.

Cross reference(s)—Traffic, CBJ Code tit. 72.

- (2) Each driveway or approach road that will allow egress from or ingress to the proposed development;
- (3) Existing and proposed pedestrian and bicycle facilities, if any, within the proposed development, and existing and proposed pedestrian and bicycle facilities to be used for access to the proposed development;
- (4) Projected traffic at the development's anticipated opening date, and at full build out, both with and without the traffic generated by the development;
- (5) Locations where road improvements are necessary to mitigate traffic impacts due to the development at the opening date, or where improvements are necessary to prevent the level of service (LOS) from deteriorating further at the opening date without the development;
- (6) Road improvement alternatives or other measures that will achieve an acceptable LOS or minimize degradation of service below an already unacceptable LOS according to section 49.40.310 Traffic; minimum standards;
- (7) Internal circulation and parking plans; and
- (8) An accident analysis that contains the following elements:
  - (A) An accident diagram showing accidents over the most recent three years of accident data, at all intersections or roadway segments identified as being impacted by the development, using the State of Alaska Department of Transportation's accident database, if available.
  - (B) An analysis of the type of accidents.
  - (C) An analysis of the accidents to determine if any pattern exists, and whether the accident pattern will be impacted by the development.
  - (D) If an accident pattern exists that will be exacerbated by the development, a determination whether there is a cost-effective solution which would mitigate the problem and how it can be implemented.
- (d) Level of service (LOS) and operational analysis for a traffic impact analysis prepared under this section must be performed in accordance with the most recent edition of the Transportation Research Board's publication Special Report 209, Highway Capacity Manual.

(Serial No. 2008-01, § 2, 1-28-08)

**49.40.310 Traffic; minimum standards.**

- (a) The minimum acceptable LOS for a roadway segment or intersection within the area affected by the development, on the projected opening date of the development, or full build out of the development, is LOS D.
- (b) If an intersection or roadway segment affected by the development has a pattern of accidents resulting in personal injuries, and the development will aggravate this accident pattern, then mitigation shall be required, regardless of the projected LOS.

(Serial No. 2008-01, § 2, 1-28-08)

**49.40.320 Traffic impact analysis review.**

- (a) The department will review the traffic impact analysis prepared under this section.

- (b) Mitigation measures may be subject to financial guarantee pursuant to Chapter 49.55, if appropriate considering safety and scheduling.

(Serial No. 2008-01, § 2, 1-28-08)

#### **49.40.330 Traffic impact mitigation.**

- (a) Except as provided in 49.40.340, an applicant shall make improvements to a roadway or intersection to achieve or maintain an acceptable LOS if a roadway or intersection has an:
  - (1) LOS D without traffic generated by the development; and would drop below LOS D with traffic generated by the development at the opening date of the development or full build out;
  - (2) If a roadway has an LOS below D without traffic generated by the development at the opening date of the development; or
  - (3) If the intersection or roadway segment has a pattern of accidents resulting in personal injuries, and the development would aggravate this accident pattern, then mitigation shall be required regardless of the LOS.
- (b) An applicant for a project for which a traffic impact analysis report has been prepared and mitigation required, shall install signs and markings on approaches to roadways within the development that conform to the Manual on Uniform Traffic Control Devices and the Alaska Traffic Manual, 2003, described in 17 AAC 20.950(1), as it may be amended from time to time.
- (c) Internal circulation and parking layout must provide sufficient queuing distance within the development between the roadway and internal restrictions to ensure that no traffic backs up onto a roadway, including bicycle or pedestrian facilities (See Section 49.40.230 Parking and circulation standards).
- (d) If a traffic impact analysis discloses impacts to pedestrian or bicycle traffic, an applicant shall make the necessary improvements to mitigate the impact.

(Serial No. 2008-01, § 2, 1-28-08)

#### **49.40.340 Mitigation waiver.**

- (a) The planning commission or community development department director may, in their discretion, waive or partially waive the requirements for mitigation under this section if the planning commission finds at a public hearing, or the director finds in writing after reviewing a permit which does not require planning commission approval, that either of the following circumstances is true:
  - (1) (A) Existing roadway facilities are only marginally achieving an LOS D without the traffic generated by the development, and would likely fall below LOS D within five years;
    - (B) Traffic generated by the development would result in an LOS below D without mitigation; and
    - (C) The costs of mitigating the impacts outweighs the benefits; or
  - (2) (A) If the LOS is below D. before the development's opening date;
    - (B) If the operation of the roadway or intersection, within the affected area, would not deteriorate more than five percent in terms of delay time, a minimum LOS, LOS E may be acceptable;
    - (C) Does not result in an LOS below E; and
    - (D) The costs of mitigating the impacts outweighs the benefits.

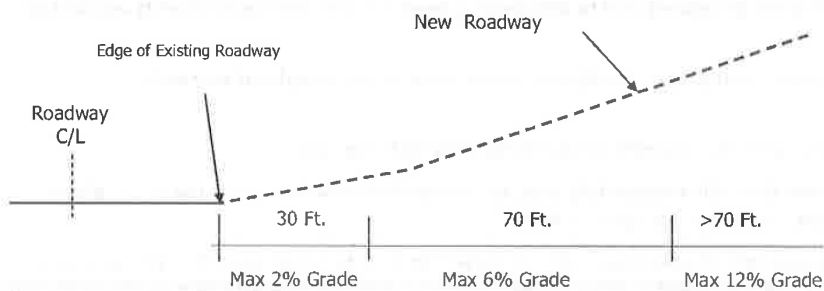
(Serial No. 2008-01, § 2, 1-28-08)

#### 49.35.240 Improvement standards.

- (a) *Right-of-way widths.* The minimum right-of-way width of proposed streets is as follows:
- (1) Arterials: 100 feet; minor, 80 feet.
  - (2) Collectors: 60 feet.
  - (3) Streets other than arterials and collectors: 60 feet.
  - (4) Cul-de-sacs: temporary or permanent turnaround: a diameter of 120 feet.
  - (5) Alleys: 20 feet.
  - (6) Stairways and other non-motorized access routes: 15 feet.
  - (7) Half streets. Whenever there exists a dedicated or platted half street or alley adjacent to the tract of land to be developed, the other half of the street or alley must be platted, dedicated, and the entire street or alley constructed to current improvement standards.
  - (8) Substandard width. Any previously platted right-of-way with less than the minimum standards identified for the traffic generated shall be improved to meet the minimum requirements established by this title.
- (b) *Right-of-way minimum width reductions.* The director may reduce minimum right-of-way width requirements:
- (1) For a collector, the right-of-way width may be reduced by up to ten feet.
  - (2) For streets with less than 500 average daily trips, or a privately maintained access road in a right-of-way, the width may be reduced by up to 25 feet.
  - (3) Where the dedicated right-of-way abuts and runs parallel to an exterior property line, will serve as a half-street, and will be developed as a low volume street or a driveway in a right-of-way, the width may be reduced by up to 30 feet.
  - (4) Alleys and stairway right-of-ways may be reduced by up to five feet.
  - (5) The director shall make written findings supporting right-of-way minimum width reductions granted under this section. The director's findings shall state that:
    - (A) The applicant has provided room for electric utility features and demonstrates that if the road is upgraded in the future to include additional sidewalks that there is sufficient right-of-way for construction of the sidewalks without need for retaining walls over two feet in height.
    - (B) There is sufficient right-of-way or easements to allow for drainage improvements required by construction of the sidewalks.
    - (C) That any driveways shall be constructed to accommodate the elevations of future sidewalks.
    - (D) No additional right-of-way width will be required in order to provide for sufficient access to abutting lands.
    - (E) There is sufficient room for snow storage.
- (c) *Sight distance.* Sight distances for intersection, passing and stopping must be in accordance with the specifications set forth in "A Policy on Geometric Design of Highways and Streets".
- (d) *Street grades.* Street grades are as follows:



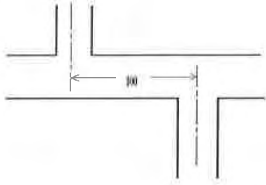
- (1) *Maximum.* Grades on arterial streets must not exceed six percent. Grades on other streets must not exceed 12 percent.
  - (2) *Minimum.* The minimum grade for all streets is one-half percent.
  - (3) *Cross slope.* The minimum cross slope on all streets is three percent.
  - (4) *Exception.* Grades for all streets in hillside areas may be increased under certain circumstances according to chapter 49.70, article II, hillside development.
- (e) *Intersections.*
- (1) *Corner sight distance.* Corner sight distance must be in accordance with CBJ 49.35.240, however, in no case shall the sight distance be less than 200 feet.
  - (2) *Intersection angle.* Intersections of right-of-way lines must not be less than 60 degrees. The intersection of the centerline of the constructed roadway must not be less than 80 degrees.
  - (3) *Grade.* The grade for the approach leg of a new roadway at an intersection must not exceed two percent for the first 30 feet, measured from the edge of the existing roadway. The grade for the next 70 feet of the new roadway must not exceed six percent (See Figure 1).



Maximum Grades at the Intersection of a New Roadway

Figure 1

- (4) *Adjustment to grade.* In certain circumstances, the director of engineering and public works may require the centerline grade to be adjusted to ensure the grades along the edge of the intersecting street do not exceed the maximum grades listed above.
- (5) *Alignment.* A proposed street that will intersect with an existing cross street shall, whenever practicable, align with an existing street intersection on the opposite side of the cross street. Street jogs that have center line offsets of less than 100 feet, shall not be permitted (See Figure 2).



Street jogs shall be no less than 100' apart, measured from the center of the street.

**Figure 2**

(f) *Curves.*

- (1) *Design.* Curves shall be designed in accordance with "A Policy on Geometric Design of Highways and Streets."
- (2) *Vertical curve.* The minimum length of vertical curves is 200 feet unless otherwise approved by the director of engineering and public works.

(g) *Cul-de-sacs.*

- (1) *Length.* Streets designed to have one end permanently closed shall be no more than 600 feet and not less than 150 feet in length measured from the center of the intersection to the radius point of the turnaround. The director for minor subdivisions, and the commission for major subdivisions, may authorize a longer or shorter cul-de-sac if it is found that the unique characteristics of the site warrant modification to the length.
- (2) *Temporary cul-de-sacs.* Temporary cul-de-sacs will be allowed where a street can practically be extended to provide for connecting streets into an adjoining undeveloped land, is located in a right-of-way or in an easement for public access, and if the following are met:
  - (A) The temporary portions of the cul-de-sac shall be easements on the plat rather than as dedicated right-of-way. Such easements shall allow for public access and maintenance as if it were dedicated right-of-way until such time the easements are vacated. The easements shall not contribute towards lot area.
  - (B) All of the cul-de-sac must be constructed to permanent street construction standards except as noted in (G) below.
  - (C) The CBJ will record a release of the easements for the temporary portions of the cul-de-sac at the state recorder's office at Juneau at the time the cul-de-sac is removed and the street improvements have been extended.
  - (D) Easement lines for the temporary cul-de-sac will be considered front property lines for determining building setbacks.
  - (E) All improvements, including utilities and private driveways, must be designed to accommodate the eventual extension of the street and reversion of the temporary cul-de-sac to adjoining

properties. The construction plans shall demonstrate those improvements connecting through a temporary cul-de-sac will still comply with CBJ standards after the temporary cul-de-sac is removed.

- (F) Temporary cul-de-sacs must provide required access and minimum frontage on a publically maintained right-of-way to all lots using the cul-de-sac as access. If the cul-de-sac is not extended to the adjoining property, the maximum length of an unconstructed right-of-way between the temporary cul-de-sac and the adjoining property shall be the minimum lot width for the zoning district. If the right-of-way is located in more than one zoning district, the shortest minimum lot width shall be used. The right-of-way between the constructed temporary cul-de-sac and the adjoining property shall be subject to the stub street requirements of this Title (See Figure 3).

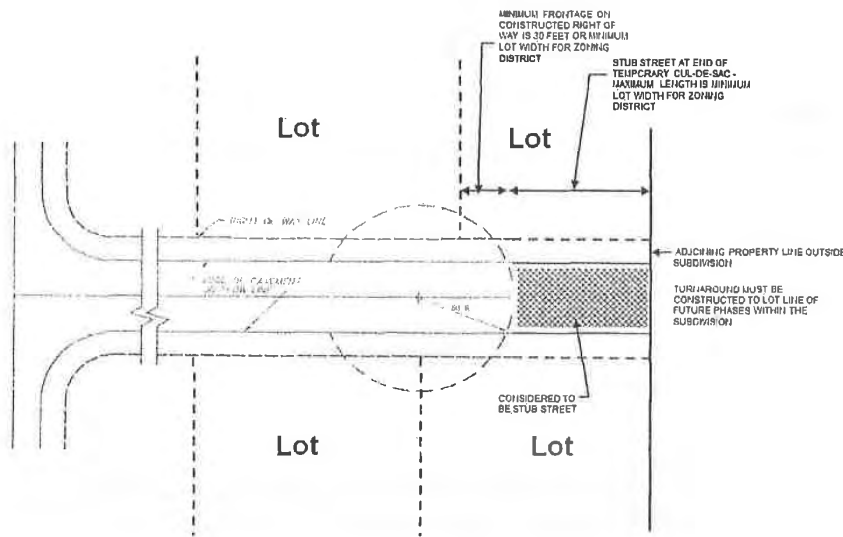


Figure 3

- (G) The temporary cul-de-sac may be located on property within the subdivision intended for future subdivision phases in conjunction with a platted right-of-way. It may also be located outside the subdivision boundary entirely within an easement (See Figure 4). If the temporary cul-de-sac is constructed on property outside of the subdivision boundary, then curb, gutter, and sidewalks are not required for the temporary cul-de-sac.

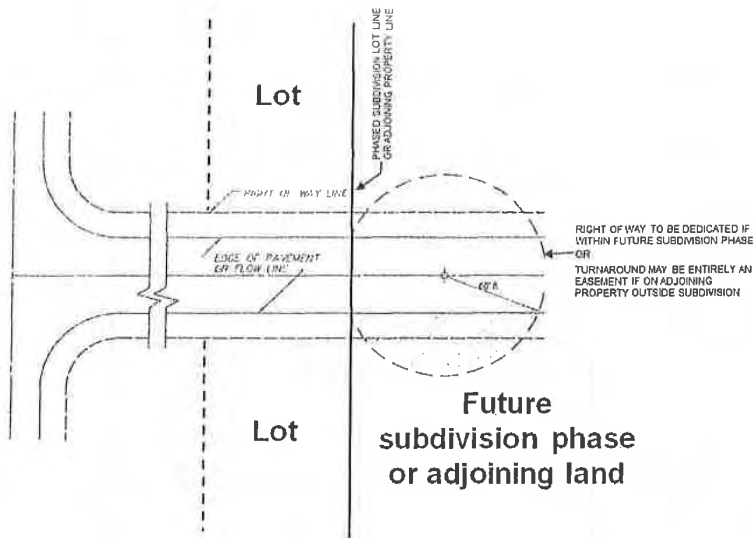


Figure 4

- (H) The plat shall include the following note "Temporary cul-de-sac easement shall be vacated upon extension of street unless the director determines all or a portion of the cul-de-sac may remain."
- (I) When the developer of adjoining property is required to connect to the temporary cul-de-sac, the temporary portions of the cul-de-sac shall be removed. The director, after considering public safety, costs, and recommendations of the director of engineering and public works department and of the fire marshal, shall determine if the developer may leave all or part of the temporary portions of the cul-de-sac. If any temporary cul-de-sac portion is removed, then the resulting constructed right-of-way shall conform to CBJ standards.
- (3) *Hammerhead turnarounds.* Hammerhead turnarounds may be built in lieu of a temporary cul-de-sac, upon approval by the director of engineering and public works.
- (h) *Streets construction standards.*
  - (1) *Arterials.* The subdivider is not responsible for the construction of arterial streets, but may be required to dedicate the necessary right-of-way during the platting process.
  - (2) *Other streets.* Other than arterials, street shall comply with the following:

Table 49.35.240 Table of roadway construction standards

Avg. Daily Trips (ADT)	Adopted Traffic Impact Analysis Required	Sidewalks	Travel Way Width	Street Lights	Width	Paved Roadway Required	Publicly Maintained

≥ 500	Yes	Both sides	26 ft.	At all intersections	60 ft. Public ROW <sup>ii</sup>	Yes	Yes
212 to 499	Maybe	One side	24 ft.	At all intersections	60 ft. Public ROW <sup>ii</sup>	Yes	Yes
0 to 211	No	Not required	22 ft.	At intersection of subdivision streets and external street system	60 ft. Public ROW <sup>ii</sup>	Yes	Yes
0 to 211	No	Not required	20 ft. <sup>i</sup>	At intersection of subdivision streets and external street system	60 ft. Public ROW <sup>ii</sup>	No, if outside the urban service area	No
0 to 70	No	Not required	20 ft. <sup>i</sup>	No	50 ft. private easement	No <sup>iii</sup>	No

<sup>i</sup> Or as required by the Fire Code at CBJ 19.10.

<sup>ii</sup> ROW width may be reduced as prescribed at CBJ 49.35.240.

<sup>iii</sup> Except as provided by CBJ 49.35.262(b)(9).

- (3) *Signs and markings.* The subdivider must install street name signs, traffic control signs, and traffic control pavement markings in accordance with approved plans and the requirements of the current issue of the Manual on Uniform Traffic Control Devices, including the current Alaska Traffic Manual Supplement, published by the Alaska Department of Transportation and Public Facilities.
- (i) *Street waivers.* The director, after considering the recommendations of the director of the engineering and public works department and of the fire marshal, may waive the following and no other street improvement requirements:
- (1) Right-of-way relocation. If a plat is submitted for the purpose of relocating a right-of-way, the director may waive all or some of the construction requirements under the following conditions:
- (A) The proposed relocation will improve access to abutting or neighboring property not otherwise adequately served.
  - (B) The subdivider has provided sufficient engineering information to demonstrate to the director of engineering and public works the feasibility of constructing a public street at the location of the relocated right-of-way.
  - (C) The relocated right-of-way and the resulting subdivision layout will conform to all the other standards of this chapter.
  - (D) The improvements required in the new right-of-way will not be less than those in the existing right-of-way.
  - (E) No additional lots are being platted.

(2) *Stub streets.*

- (A) The director for minor subdivisions and the commission for major subdivisions may waive the full construction of a roadway within a right-of-way that is required to provide access to a bordering property, and does not provide required access to any lot within the subdivision. A developer requesting a stub street waiver shall demonstrate in the construction plans that a street can reasonably be constructed to CBJ standards in the right-of-way. The commission or director may require provision of a roadbed, utility line extensions, or other appropriate improvements (See Figure 5).



Figure 5

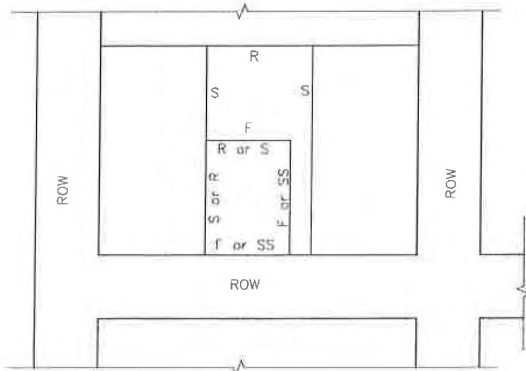
- (B) Reserved.
- (C) When the developer of adjoining property is required to connect to the stub street, then the developer of the adjoining property will be required to construct the stub street to City and Borough standards at the time.
- (3) *Remote subdivisions accessible by navigable water.* The commission and the director may waive roadway improvements and other street construction requirements for remote subdivisions accessed solely by navigable water.
- (4) *Roadway construction standards waivers.* Roadway construction standards identified in Table 49.35.240 may be waived in accordance with this subsection for any street reconstruction project, not including routine maintenance; or any new street construction project located in a right-of-way platted before 1987. Waivers shall be in writing.
- (A) Roadway construction standards may be waived by the director if:
- (i) The existing roadway does not comply with the roadway construction standards identified in Table 49.35.240;
  - (ii) There are unique circumstances that make compliance with the requirements of the table unreasonable;
  - (iii) The proposed project will not aggravate the intent of the requirements of this chapter; and
  - (iv) The proposed project complies with the American Association of State Highway and Transportation Officials' guidelines.

- (B) Roadway construction standards may be waived by the commission if:
  - (i) The existing roadway does not comply with the roadway construction standards identified in Table 49.35.240;
  - (ii) There are unique circumstances that make compliance with the requirements of the table unreasonable;
  - (iii) The proposed project will not aggravate the intent of the requirements of this chapter; and
  - (iv) Unique circumstances make compliance with the American Association of State Highway and Transportation Officials' guidelines unreasonable, and the commission requires sufficient safeguards to protect public health, safety, and welfare under the circumstances.
- (j) *Pioneer path standards.* The following standards shall apply to remote subdivisions accessed by pioneer paths.
  - (1) Interior access shall be provided solely by pioneer path in a right-of-way. The right-of-way width of a pioneer path within a remote subdivision shall be 60 feet.
  - (2) Grades for pioneer paths must not exceed 18 percent. The maximum cross slope grade must not exceed five percent.
  - (3) The width of a pioneer path shall not exceed 54 inches of tread, and must be located within a six-foot corridor.
  - (4) Pioneer paths shall be designed and constructed to prohibit vehicular traffic wider than 48 inches from using the path, which may include the use of boulders, bollards, or any other similar structure.
- (k) *Responsibility for improvements.* Unless otherwise provided, it shall be the responsibility of the subdivider to pay the cost of all right-of-way and street improvements caused by any development, as determined by the director.

(Serial No. 87-49, § 2, 1987; Serial No. 88-30, § 2, 1988; Serial No. 2002-20, § 5, 8-5-2002; Serial No. 2006-15, § 8, 6-5-2006; Serial No. 2010-41, § 2, 1-10-2011; Serial No. 2015-03(c)(am), § 27, 8-31-2015 ; Serial No. 2016-26(b), 4-3-2017, eff. 5-4-2017 ; Serial No. 2018-08, § 2, 3-5-2018, eff. 4-5-2018 ; Serial No. 2019-08, § 2, 4-22-2019, eff. 5-23-2019 )

**49.15.423 Panhandle lots.**

- (a) Panhandle lots may be created by subdivision under this section if the new lots meet the following requirements:
  - (1) *Dimensional requirements.*
    - (A) The front and panhandle lots must meet all the dimensional and area requirements of this title.
    - (B) No part of the panhandle portion of the lot shall be less than 20 feet wide.
    - (C) The panhandle portion of the lot shall not be longer than 300 feet.
    - (D) No buildings are allowed to be built or placed in the panhandle portion of the lot.
    - (E) In a D-1 zoning district, 30 feet of the width of the panhandle of the rear lot may be used in determining the width of the front lot.
    - (F) The lot width for the panhandle lot shall be the distance between its side lot lines measured behind the back lot line of the front lot.
  - (2) *Setbacks*
    - (A) A lot fronting on a right-of-way may establish a front yard setback or a street side yard setback adjoining the right-of-way or the panhandle. (See Figure 1)
    - (B) The front yard setback for the panhandle lot shall be measured from behind the back lot line of the front lot. (See Figure 1)



**Figure 1**

- (3) *Access and parking.*
  - (A) Access for the lots shall be located in the panhandle. A lot fronting a right-of-way may have a separate and additional access if approved by the government entity that controls rights-of-way. Access to each lot shall be designated on the plat in the form of an easement.



- (B) Off-street parking shall be provided in an amount sufficient to meet the requirements of CBJ 49.40, article II.
  - (C) A driveway and parking plan that shows the feasibility of off-street parking shall be submitted and approved by the director prior to recording the plat.
  - (D) Back out parking is prohibited unless approved by the director.
  - (E) The applicant must provide assurance in the form of an easement, plat note referencing the maintenance agreement, and a maintenance agreement that is recorded with the subdivision, on forms acceptable to the director, ensuring the required access and parking areas will be constructed and maintained by all future property owners.
  - (F) Any portion of a driveway not located in a public right-of-way shall comply with emergency service access as required by CBJ 19.10. A profile of the proposed driveway centerline shall be submitted as part of the plat application, and must meet Alaska Department of Transportation and Public Facilities or CBJ driveway standards, as appropriate based on ownership of the right-of-way.
  - (G) Existing driveways and access points not meeting the requirements of this section must be abandoned, and improvements thereto removed and relocated prior to plat recordation.
  - (H) The portion of the driveway in the right-of-way or the first 20 feet from the edge of the public roadway shall be paved, whichever length is greater.
- (b) No lot resulting from a panhandle subdivision may be further divided into another panhandle subdivision.  
( Serial No. 2015-03(c)(am), § 10, 8-31-2015 ; Serial No. 2017-25, § 2, 11-6-2017, eff. 12-7-2017 ; Serial No. 2021-28 , § 3, 8-23-2021, eff. 9-22-2021)

## Applicant Information

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garytigar@sbcglobal.net

Add Another Business/Individual

### Business / Individual - 2 \*

Muiray Walsh, Walsh Planning & Development Services

### Address \*

2974 Foster ave

Street Address

Juneau

City

AK

State / Province / Region

99801

ZIP / Postal Code

Phone \*

(907) 723-8444

Email

murray@acsalaska.net

### CBJ Land Information

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

Site Address \*

4305 North Douglas Highway and the 8 acre parcel to the south

Legal Description \*

USS 2135 TR 1 TRA

Provide Brief Description of Your Proposal \*

To trade a portion of the Applicant's property to the CBJ in exchange for a portion of CBJ-owned land above USS 2135 TR 1 TRA as shown on the attached drawing. The newly configured property will then be subdivided for small single family homes on small lots.

Provide a Map of CBJ Land you wish to Purchase \*

Grant-Crk-Ph-III-7142021-TradeMap.pdf  

Have you mailed the \$500.00 filing fee? \*

Yes

Not Yet

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

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

"By submitting this form, I agree all information is accurate. Submission of this request is NOT approval by the City and Borough of Juneau. I understand that staff will review my application and follow up with questions. Once staff have reviewed my application, ultimate determination of my request to purchase City property will be made by the City Assembly."

Legal Representative of Business / Individual \*

Gary

First

WTigar

Last

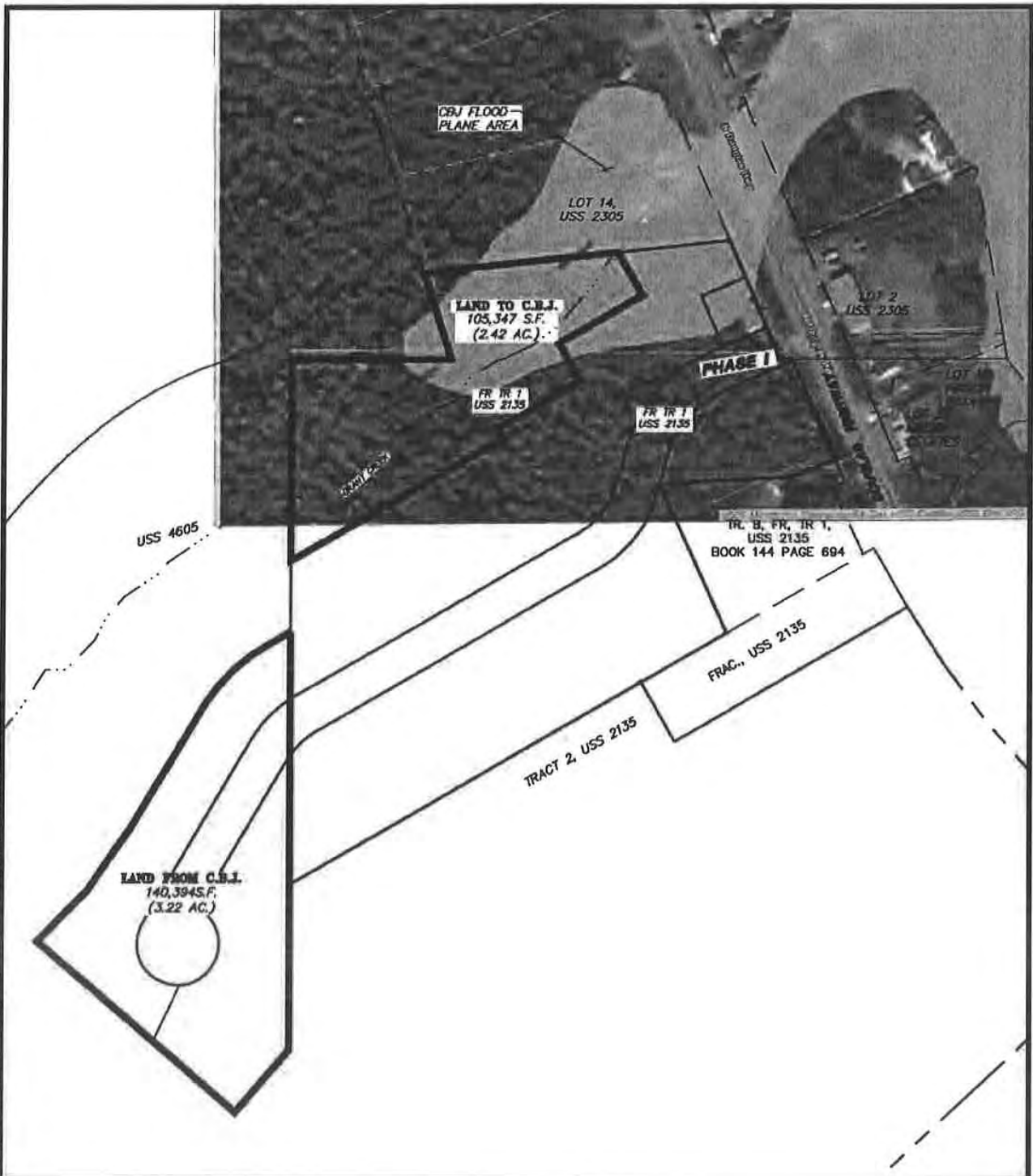
Legal Representative of Business / Individual -2 \*

Murray

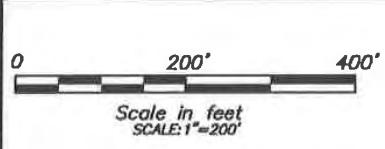
First

Walsh

Last



9/03/2020 1:43:08 PM AST  
 E:\GDM\WALSH\GRANT CREEK\GRANT CRK PH-I&II-7142021.DWG

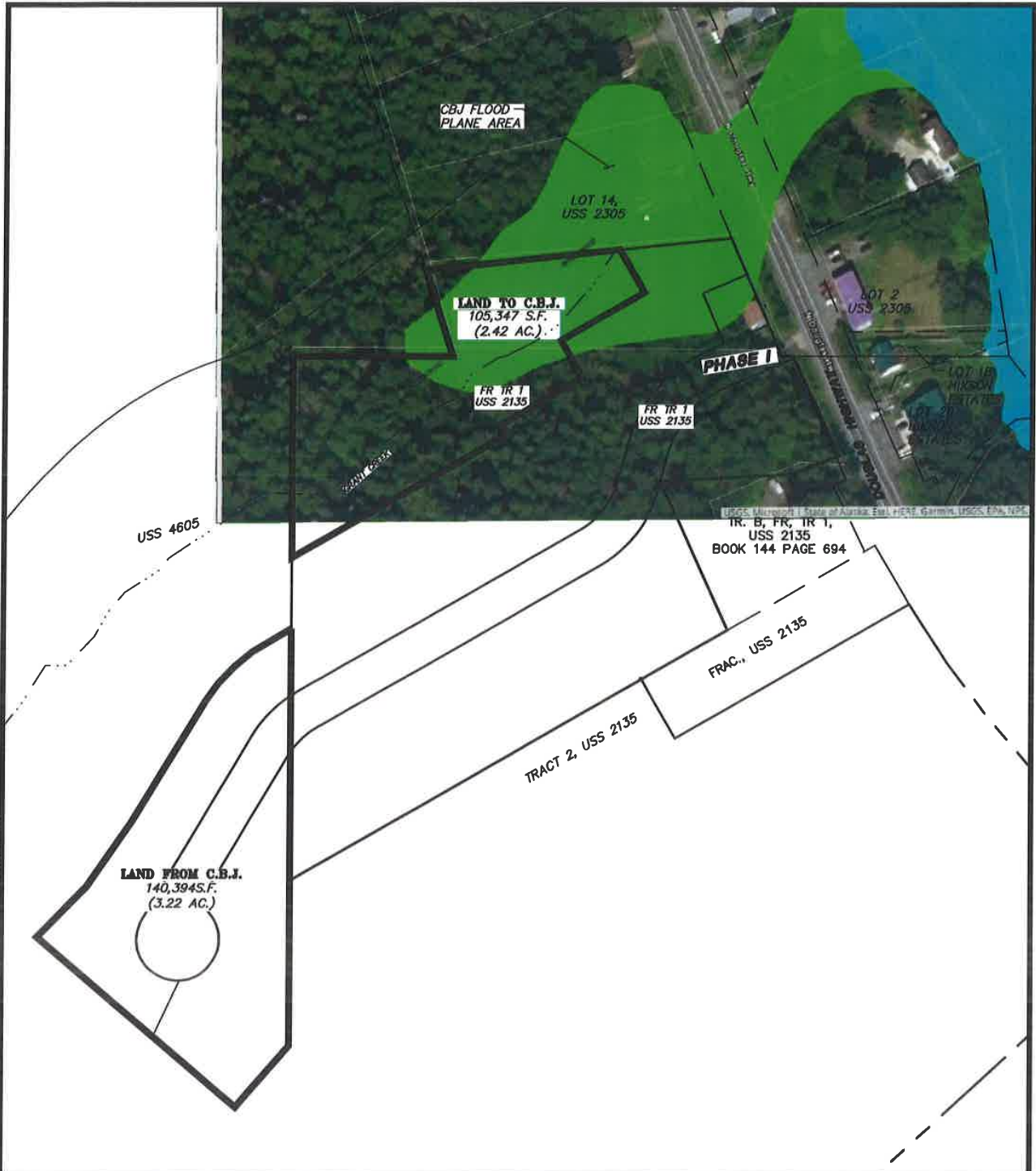


**A PLAT  
 FOR PROPOSED LAND TRADE  
 BETWEEN GRANT CREEK HOMES  
 AND THE CITY AND BOROUGH OF  
 JUNEAU, ALASKA**

DRAWN BY: GDM GRAPHICS      DATE: 9/03/2021

WALSH PLANNING & DEVELOPMENT

9/03/2020 1:43:08 PM AST  
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**A PLAT  
FOR PROPOSED LAND TRADE  
BETWEEN GRANT CREEK HOMES  
AND THE CITY AND BOROUGH OF  
JUNEAU, ALASKA**

DRAWN BY: GDM GRAPHICS DATE: 9/03/2021

PAGE 1 of 1

WALSH PLANNING & DEVELOPMENT

Attachment A - Application Packet

Attachment F - Notice of Recommendation for PAD2022 0002

# Lands, Housing & Economic Development Committee

May 02, 2022



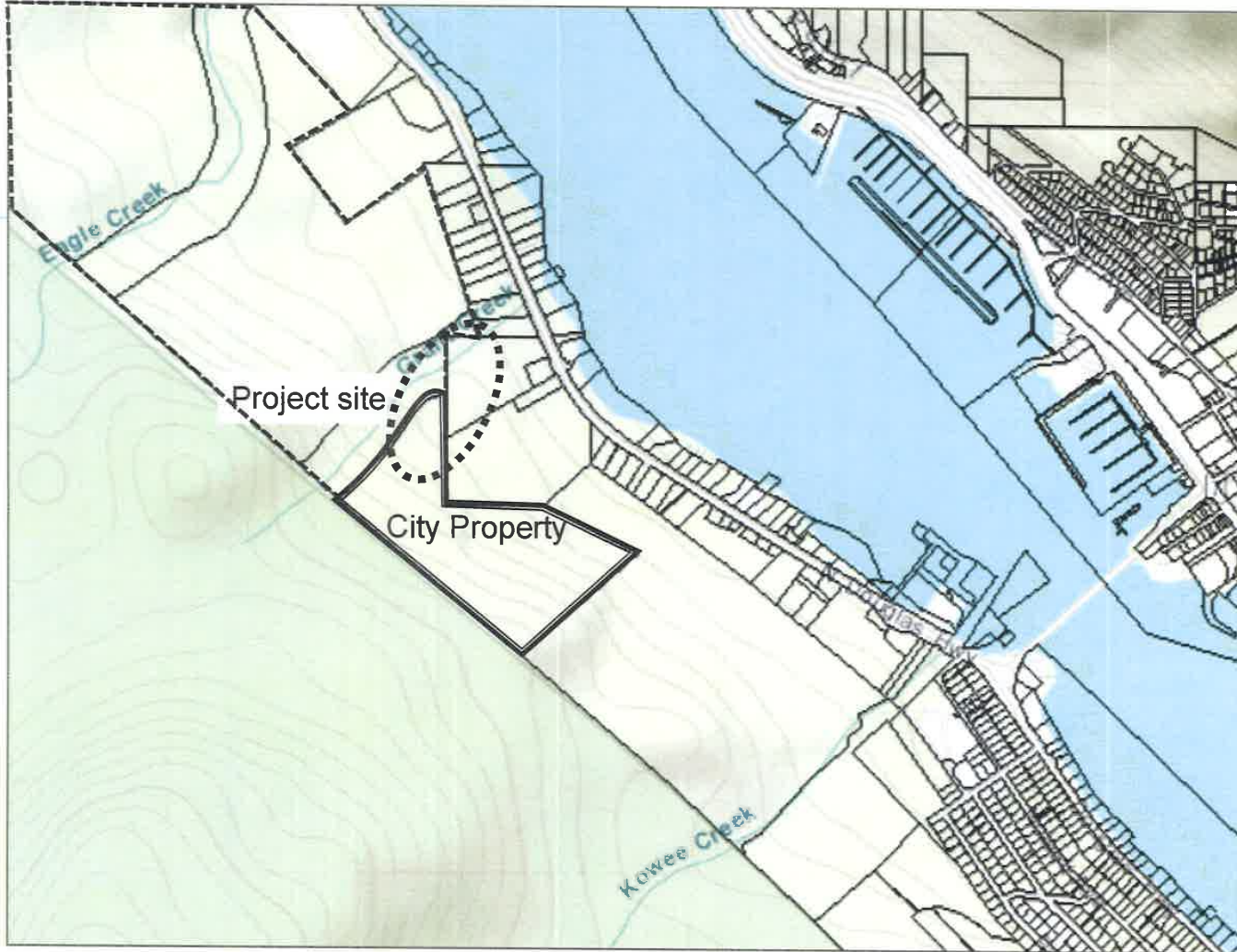
# Grant Creek Homes Request to Purchase City Property through a Land Trade

- The Lands Office has received a request for a land trade from Gary Tigar and Grant Creek Homes.
- The applicant is requesting to sell the City a 105,347 square foot area of property that is within the floodplain and buy a City owned 140,394 square foot uplands parcel. Both values would be determined by appraisal.
- The application states that the newly configured property would be subdivided into small single family lots.

## Grant Creek Homes Request to Purchase City Property through a Land Trade

- The City property being requested in this application is a fraction of a 654-acre parcel in North Douglas. The location is southeast of Bonnie Brae Subdivision and Falls Creek, Eagle Creek and Grant Creek run through this property. The Land Management Plan designates this property as retain/dispose, and it is managed by the Lands Office.





# Grant Creek Homes Request to Purchase City Property through a Land Trade

---

**Staff request that the Lands, Housing and Economic Development Committee forward this application to the Assembly with a motion of support for disposal of City property to Gary Tigar and Grant Creek Homes through a negotiated disposal or land trade.**



# Invitation to Comment

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



COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for a **property acquisition and disposal review of land by the City and Borough of Juneau at 4305 North Douglas Highway in a D18 & D5 zone.**

## TIMELINE

Staff Report expected to be posted **August 15, 2022**, at <https://juneau.org/community-development/planning-commission>  
 Find hearing results, meeting minutes and more here as well.

Now through Aug. 1	Aug. 2 — noon, Aug. 19	HEARING DATE & TIME: 7:00 pm, Aug. 23, 2022	Aug. 24
Comments received during this period will be sent to the Planner, <b>Joseph Meyers</b> , to be included as an attachment in the staff report.	Comments received during this period will be sent to Commissioners to read in preparation for the hearing.	This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting <a href="https://juneau.zoom.us/j/82017306873">https://juneau.zoom.us/j/82017306873</a> and use the Webinar ID: 820 1730 6873 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above).  You may also participate in person in City Hall Assembly Chambers, 155 S. Seward Street, Juneau, Alaska.	The results of the hearing will be posted online.

### FOR DETAILS OR QUESTIONS,

Phone: (907)586-0753 ext. 4209 ♦  
 Email: [pc\\_comments@juneau.org](mailto:pc_comments@juneau.org)  
 Mail: Community Development, 155 S. Seward St, Juneau AK 99801

**Case No.:** PAD2022 0002  
**Parcel No.:** 6D0601130010; 6D0601110020; 6D0611000010  
**CBJ Parcel Viewer:** <http://epv.juneau.org>

Printed July 19, 2022



Attachment B - Public Notice Materials



**From:** [Mark Millay](#)  
**To:** [Joseph Meyers](#); [John Bohan](#); [General Engineering](#)  
**Subject:** RE: Agency Review  
**Date:** Thursday, July 14, 2022 9:29:39 AM

---

Hello,  
Depending on the development configuration, grades for fire access may be a future issue as well.  
Otherwise no heartburn issues with the land swap here.  
Thanks Mark

---

**From:** Joseph Meyers <[Joseph.Meyers@juneau.org](mailto:Joseph.Meyers@juneau.org)>  
**Sent:** Thursday, July 14, 2022 9:24 AM  
**To:** John Bohan <[John.Bohan@juneau.org](mailto:John.Bohan@juneau.org)>; General Engineering <[General\\_Engineering@juneau.org](mailto:General_Engineering@juneau.org)>  
**Subject:** RE: Agency Review

Thank you John,

I am reaching out to the applicant now to make sure that he is aware of these potential issues.  
Thank you for your diligence on this!

---

**From:** John Bohan <[John.Bohan@juneau.org](mailto:John.Bohan@juneau.org)>  
**Sent:** Wednesday, July 13, 2022 10:18 AM  
**To:** Joseph Meyers <[Joseph.Meyers@juneau.org](mailto:Joseph.Meyers@juneau.org)>; General Engineering <[General\\_Engineering@juneau.org](mailto:General_Engineering@juneau.org)>  
**Subject:** RE: Agency Review

Hi Joseph,

I was reading through the PAC minutes / summary and noticed that there was vague wording about needing to address adequate water pressure and “may require additional upgrades to the existing water system”.

Am concerned that the developer is not fully aware that they **WILL NOT have water pressure above roughly 100’ above the highway** (per attached information provided to Ken Hoganson in preparation for the PAC). The LIDAR shows that all the new property being potentially traded to the owner would not meet required water pressures for Fire hydrant protection or residential water pressure.

Also while we are not supposed to worry how the developer is going to build on the property, a concern I see is regarding the steepness of the upper portion of the proposed land CBJ land for purchase and the proposed roadway going “straight up the hill”. Based on LIDAR, it has slopes in the 30%-40+% range. The approximate land slopes between Nowell and Blueberry Hills road is about 25%, so while buildable, the parcel is not nearly as wide, nor does it appear the parcel is wide enough to accommodate a roadway (switchback or sidehill) at a grade similar to Cordova Street

Attachment C - Agency Comments

Attachment F - Notice of Recommendation for PAD2022 0002

(12% or so). (Fairbanks Street (~15%) is a good summer street but closed in the winter due to the extreme grades.) It is not likely the CBJ would accept a street with substandard grade for maintenance.

I don't have any issues with the specific land disposal, just the constructability of the development as proposed.

**Mark, Eric** – are there any other issues you see with this proposed land disposal / development?

*Thanks*

*John Bakan, PE*

CBJ Chief CIP Engineer

155 S. Seward St

Juneau AK 99801

(907)586-0800 x-4188

fax 463-2606

---

**From:** Joseph Meyers <[Joseph.Meyers@juneau.org](mailto:Joseph.Meyers@juneau.org)>

**Sent:** Tuesday, July 12, 2022 1:08 PM

**To:** General Engineering <[General\\_Engineering@juneau.org](mailto:General_Engineering@juneau.org)>

**Subject:** Agency Review

Good afternoon,

I am seeking comment from your department on a proposed land acquisition and land disposal on North Douglas Highway. The application for this action is attached.

The proposed project is outlined below:



The applicant would like to purchase 140,394 square feet from the CBJ and would like to sell 105,347 square feet of land to the CBJ. The land being sold to the CBJ is currently owned by the applicant.

The parcel numbers related to this transaction: 6D0601110020, 6D0601130010, 6D0611000010, and 6D0611000011.

Please submit comments and questions about the proposed land purchase and disposal by replying to this email by July 26, 2022.

Thank you,

**Joseph Meyers | Planner II**  
[Community Development Department](#) | City & Borough of Juneau, AK  
230 S. Franklin Street, 4<sup>th</sup> Floor Marine View Building  
Personal line: 907.586.0753; Ext: 4209  
He/him



July 27, 2022

Dear Juneau Planner

RE: case no.: PAD2022 0002

I'm assuming this 'land acquisition' is proposed for future construction and remove waterway land from the current property owner.

Background: The parcels contain both Grants Creek salmon creeks. In accordance with the Alaska Watershed Coalition and CBJ, require landowners living next to a salmon stream, adhere to no structures within 50 ft and an undisturbed vegetation duffer of 25 feet to any such waterway as a bare minimum riparian buffer. However, more ecologic value is gained with each additional foot of buffer. I (adjacent landowner) have documented abundant wildlife adjacent to this parcel including deer, bear, porcupines, ravens & eagles. An EIS would be prudent prior to any development.

The CBJ water and sewer services end at this parcel. During the installation of these services, a section of muskeg has encountered at that location. I don't believe a wetlands permit is required but This is a noteworthy observation. If the land acquisition is for a 'proposed' D18 development.

If so, Please consider the following prior to land development:

1. Salmon waterway setbacks.
2. Maybe an EIS will be required.
3. Consider an upgrade to the current utilities.
4. With the addition of a future development there will be an increase traffic congestion, a traffic assessment is warranted. Note the presence of an access road for the already 'clear cut' property to the south.

There may be additional considerations upon future development due to this acquisition.

Thank you for your consideration and attention to these matters.

Michael Higgs  
4225 North Douglas

RECEIVED

AUG 01 2022

Permit Center/CDD Attachment D - Public Comments



Presented by: The Manager  
Introduced: 04/26/2010  
Drafted by: J.W. Hartle

**ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA**

**Serial No. 2010-14am**

**An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of U.S. Survey 2135, Tract 1, Tract A, U.S. Survey 2135, Tract II, and U.S. Survey 2305, Lot 15, Located in North Douglas, Currently Zoned D-3, to D-18.**

WHEREAS, the Comprehensive Plan of the City and Borough supports denser residential zoning adjacent to transit corridors; and

WHEREAS, the Comprehensive Plan identifies this area of North Douglas as both Low Density Residential (UDLR) and Urban Low Density Residential transition to Medium Density Residential (UDLR (T) MDR); and

WHEREAS, MDR is described as urban residential lands for multi-family dwelling units at densities ranging from 5 to 20 units per acre; and

WHEREAS, D-18 zoning provides for up to 18 units per acre.

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

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

**Section 2. Amendment to the Official Zoning Map.** The Official Zoning Map of the City and Borough adopted pursuant to CBJ 49.25.110, is amended to change the zoning of U.S. Survey 2135, Tract 1, Tract A, U.S. Survey 2135, Tract II, and U.S. Survey 2305, Lot 15, currently zoned D-3, to D-18. The rezone described is shown on the attached Exhibit A map illustrating the area of proposed zone change.


//  
//  
//  
//  
//

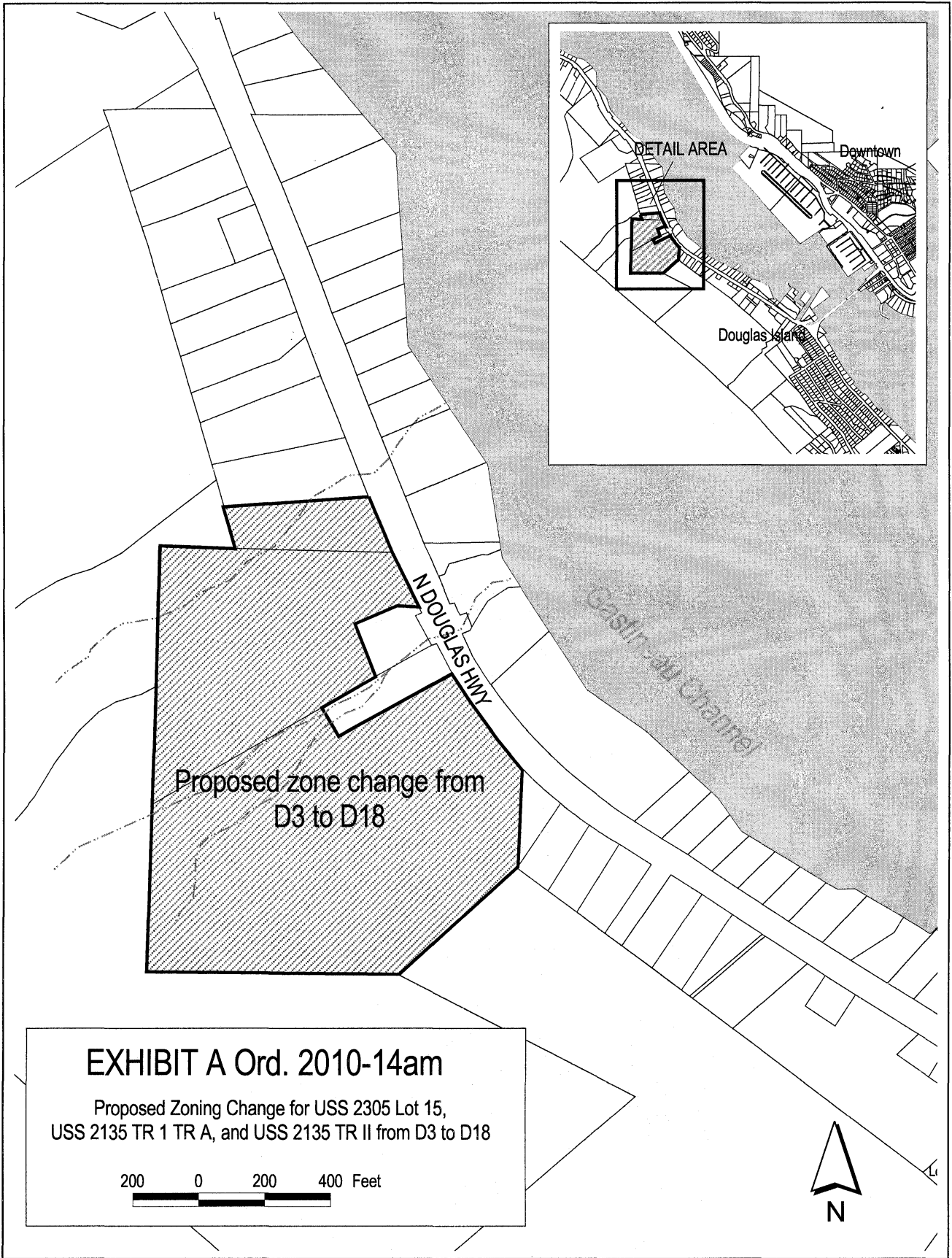
**Section 3. Effective Date.** This ordinance shall be effective 30 days after its adoption.

Adopted this 19<sup>th</sup> day of May, 2010.

  
Bruce Botelho, Mayor

Attest:

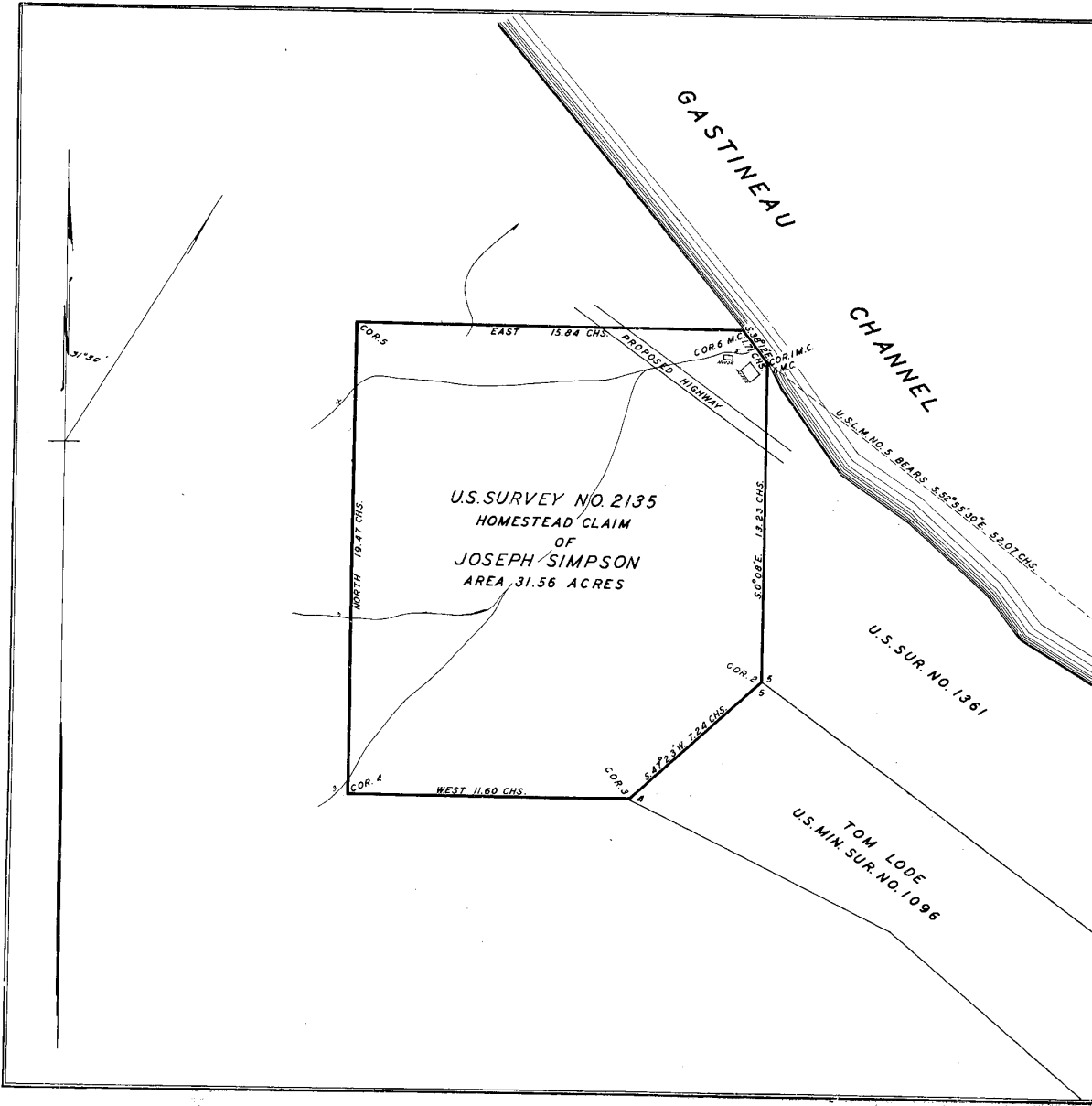
  
Laurie J. Sica, Clerk



Map created 3/22/2010, revised 4/21/2010, revised 5/21/2010

(4-653)

ORIGINAL



**PLAT**  
of  
U.S. SURVEY NO. 2135  
of the  
**HOMESTEAD CLAIM**  
of  
**JOSEPH SIMPSON**  
Executed under the Act of Congress,  
Approved **JUNE 20, 1918**  
situated  
ON DOUGLAS ISLAND ON GASTINEAU CHANNEL WEST  
OF AND ADJOINING U.S. SURVEY NO. 1361

**TERRITORY OF ALASKA**

Area: 31.56 acres  
Declination: 3° 30' E.  
Scale: 3 chains to the inch  
Latitude 58° 16' N. Longitude 134° 26' W.

Survey executed by  
**CHARLES P. SEELYE, U.S. TRANSITMAN**  
AUGUST 18-20, 1932

**CERTIFICATE OF APPROVAL**  
PUBLIC SURVEY OFFICE  
Juneau, Alaska, MAY 16, 1933

The original field notes of Survey No. 2135, of the  
**HOMESTEAD CLAIM OF JOSEPH SIMPSON**  
from which this plat has been made, have been examined  
and approved, and are on file in this office, and I hereby  
certify that they furnish such an accurate description of  
said claim as will, if incorporated into a patent, serve fully  
to identify the premises, and that such reference is made  
therein to natural objects and permanent monuments, as  
will perpetuate and fix the locus thereof.  
And I further certify that this is a correct plat of  
said claim, made in conformity with said original field  
notes of the survey thereof, and the same is hereby ap-  
proved.

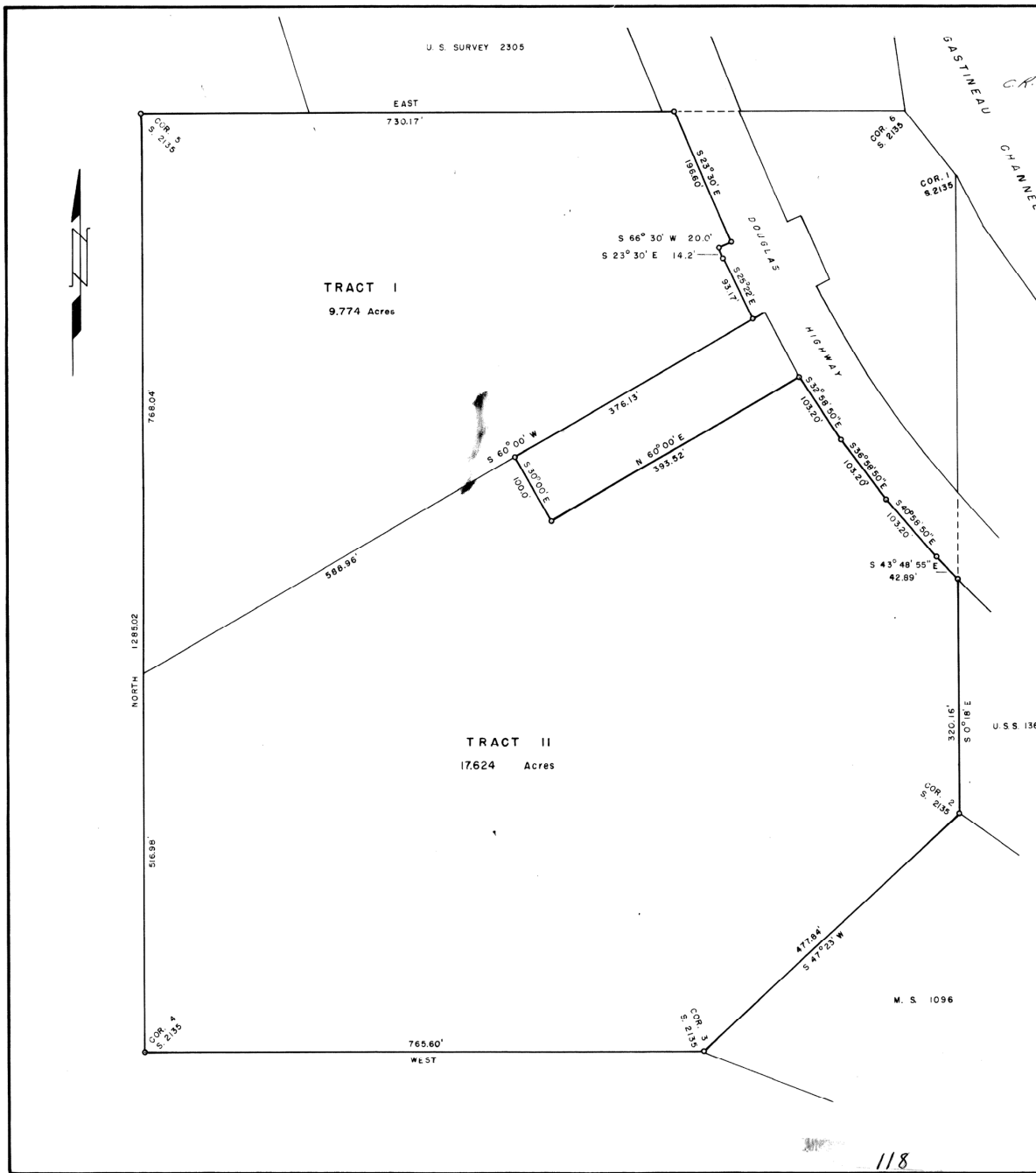
*Charles P. Seelye*  
Cadastral Engineer in Charge

**DEPARTMENT OF THE INTERIOR**  
**GENERAL LAND OFFICE**  
Washington, D.C., Dec. 18, 1933.

The survey represented by this plat having been cor-  
rectly executed in accordance with the requirements of  
law and the regulations of this office, is hereby accepted.

*J. H. Caud*  
Acting Assistant Commissioner.

Attachment E - Reviewed Materials



**CERTIFICATE OF REGISTERED ENGINEER**  
 I hereby certify that I am a registered professional civil engineer, and that this plat represents the survey made by me or under my direct supervision, and that all dimensional and other details are correct to the best of my knowledge.

November 3 1960  
*C. B. Nordling*  
 REGISTERED ENGINEER

**CERTIFICATE OF OWNERSHIP AND DEDICATION**  
 We hereby certify that we the owners of the property shown and described hereon and that we hereby adopt this plan of subdivision with our free consent and dedicate all streets, alleys and other open spaces to public or private use as noted.

November 8 1960  
 Witnessed by:  
*C. B. Nordling*

**CERTIFICATE OF APPROVAL BY THE BOARD**  
 I hereby certify that the Subdivision Plat shown hereon has been found to comply with the Subdivision Regulations of the Juneau Douglas Platting Board and that said Plat been approved by Plat Resolution No. dated November 8 1960 and that the Plat shown hereon has been approved for recording in the office of the Magistrate, ex officio Recorder, Juneau.

November 8 1960  
 Attest:  
*Harold G. Miller*  
 JUNEAN DOUGLAS PLATTING BOARD  
*James Olsen*

#273

RECORDED - FILED  
 Juneau  
 Nov. 10 60  
 9:20  
*Fernandson*  
 Nov. 11 60  
 Juneau

SUBDIVISION OF  
**FRACTION OF U. S. SURVEY NO. 2135**  
 ON DOUGLAS ISLAND, ALASKA  
 SCALE: 1" = 100' NOV. 1960  
 TONER & NORDLING - REG. ENGRS. - JUNEAU, ALASKA





Search nominations



State of Alaska  
Department of Fish and Game  
Sportfish Division

Nomination Details For  
Anadromous Waters Catalog  
Nomination Number 06-507

Region: Southeastern  
Upper Reach Latitude 0.0000  
Lower Reach Latitude 0.0000  
AWC Water body # 111-40-10910

USGS Quad: Juneau B-2  
Longitude 0.0000 (NAD83/WGS84)  
Longitude 0.0000 (NAD83/WGS84)  
AWC Water body Name Grant Creek

Observations

Species	Date Observed	Activity
coho salmon (anadromous)		Present

**Comments:** Jackie Timothy (HBIV) and Sheila Cameron (HBII) verified that Grant Creek is not anadromous above the Douglas Highway, on Monday, June 26, 2006. The ADF&G Juneau Fish Habitat Assessment states "A series of falls about 0.6 mile upstream from the mouth are believed to be a barrier to upstream migration" (Mike Bethers, 1995, page 53). The culvert under the Douglas highway is above the series of falls and is perched about five feet. We set minnow traps below the culvert during our field visit and caught several three-spine stickleback. We found a dead juvenile Dolly Varden near the mouth of Grant Creek. Will collect lat and long info later this week.

**Name of Observer:** Jackie Timothy  
**ADFG Biologist:**  
**Nomination Changes To The AWC**

**Submission Date:** 09/25/06  
**Nomination Status:** Change

Region Map(quad) AWC Stream #	Stream Name	Action Taken	Species*	Comments
Southeastern JUNEAU B-2 SE 111-40-10910	Grant Creek	Shortening existing upper reaches		Deleted upper portion of stream
Southeastern JUNEAU B-2 SE 111-40-10910	Grant Creek	Adding barrier to stream		Added barrier to stream representing a series of falls .6 mile from the mouth

This nomination is available as a PDF.



06-507.pdf

View the [area map for JUNEAU B2SE](#) (2,448 KB)

**\*Species Codes:**

- |                                 |                                 |                         |
|---------------------------------|---------------------------------|-------------------------|
| AC - Arctic char                | AW - Arctic cisco               | AL - Arctic lamprey     |
| BW - Bering cisco               | BC - broad whitefish            | K - chinook salmon      |
| CH - chum salmon                | CO - coho salmon                | CT - cutthroat trout    |
| DV - Dolly Varden               | OU - eulachon                   | HW - humpback whitefish |
| SF - inconnu                    | LP - lamprey, undifferentiated  | LC - least cisco        |
| OL - longfin smelt              | PC - Pacific lamprey            | P - pink salmon         |
| OP - pond smelt                 | OM - rainbow smelt              | LV - river lamprey      |
| SM - smelt, undifferentiated    | S - sockeye salmon              | SH - Steelhead trout    |
| ST - sturgeon, undifferentiated | W - whitefish, undifferentiated |                         |

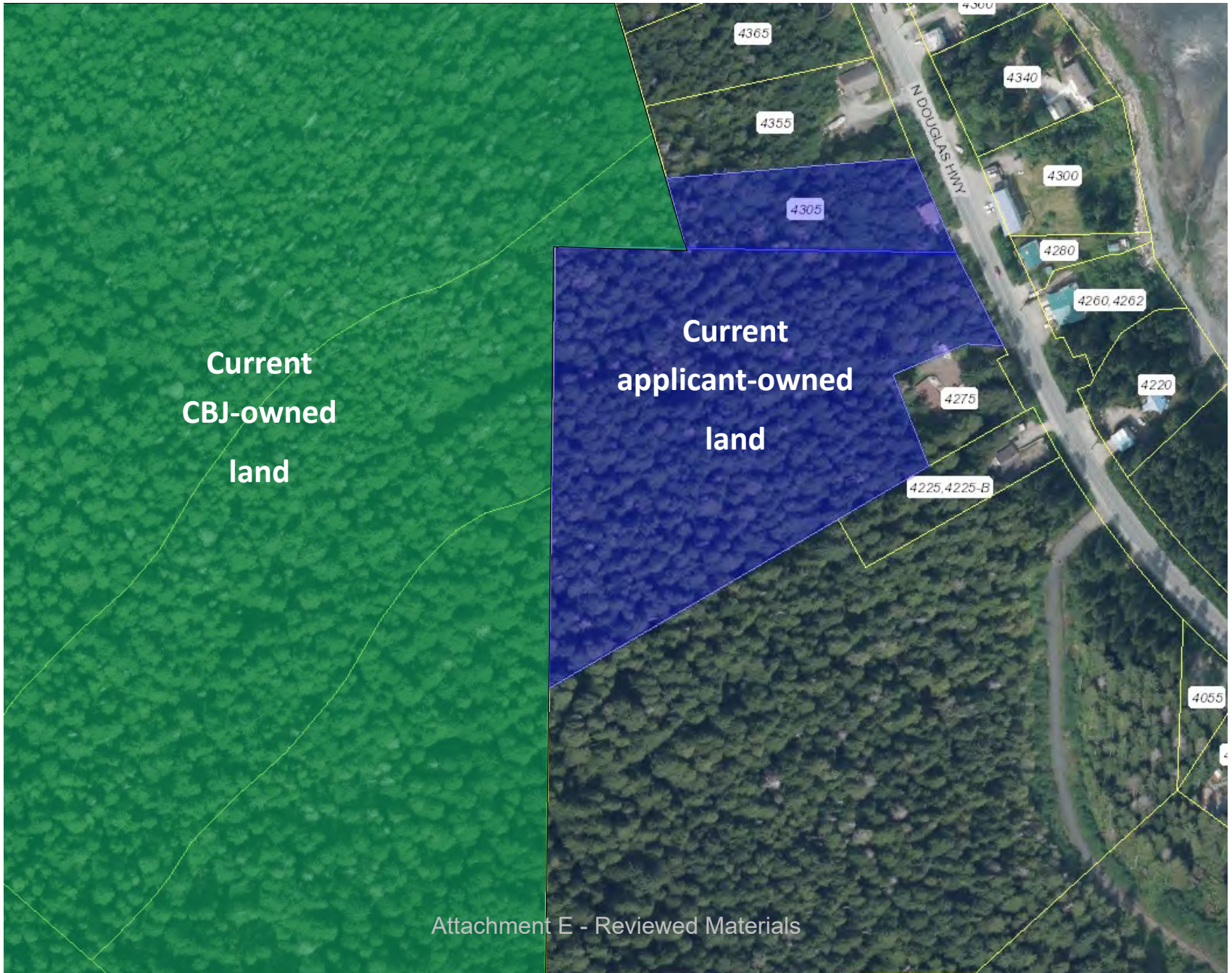
**\*Activity Codes:**

Attachment E - Reviewed Materials

Attachment F - Notice of Recommendation for PAD2022 0002

s - spawning r - rearing p - present m - migration



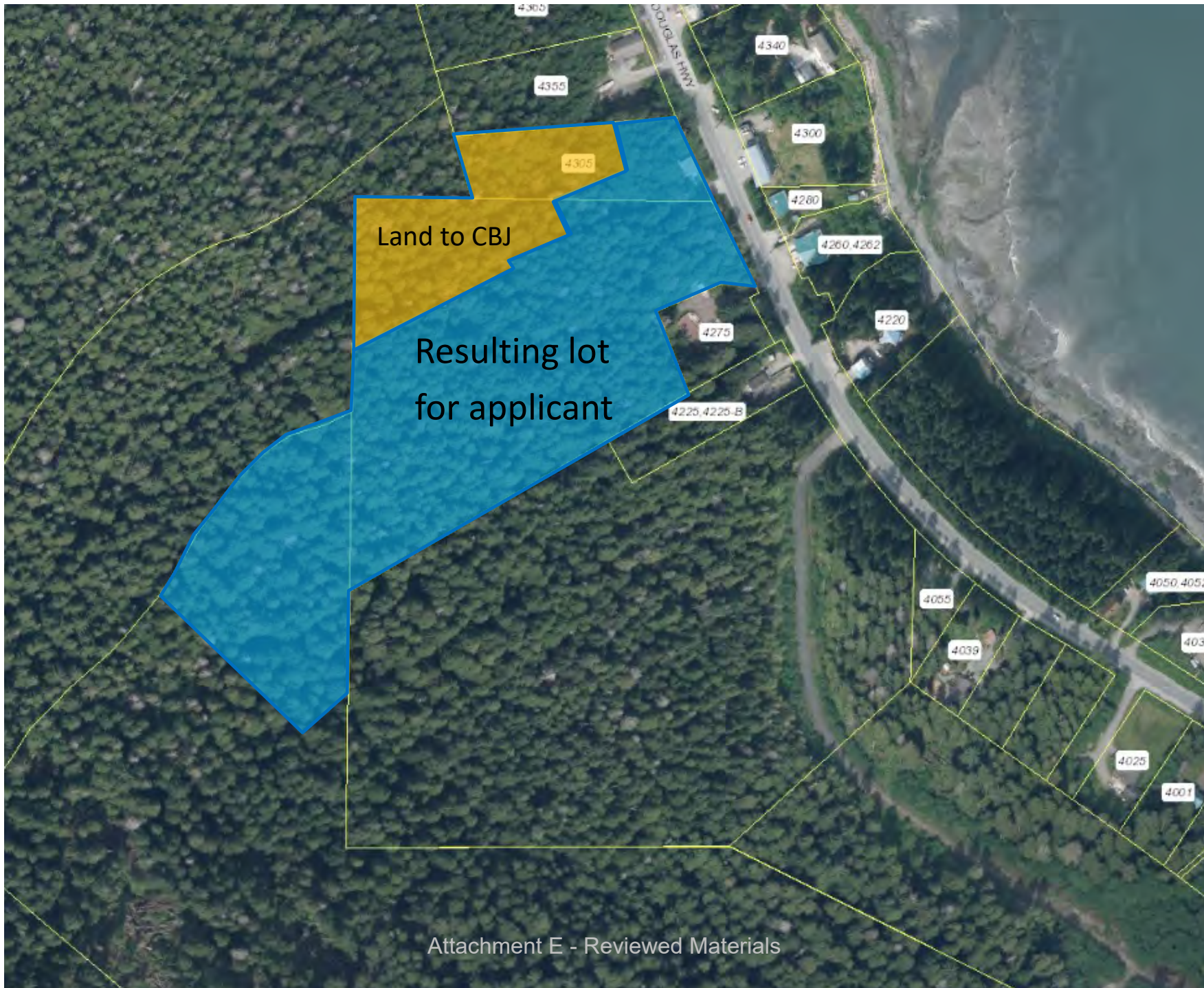


Attachment F - Notice of Recommendation for PAD2022 0002



Attachment F - Notice of Recommendation for PAD2022 0001





Attachment F - Notice of Recommendation for PAD2022 0002

	Use Description		D-3	D 18
1	RESIDENTIAL			
1.1	Single-family dwellings			
	1.11	Single-family detached, one dwelling per lot	1	1
	1.12	Single-family detached, two dwellings per lot	1	
	1.13	Single-family detached, accessory apartment <sup>x</sup>	1, 3	1, 3
	1.14	Single-family detached, two dwellings per lot, accessory apartments <sup>x</sup>	1, 3	
1.2	Duplex		1	1
1.3	Multifamily dwellings			1, 3
1.5	Child and Day care homes			
	1.51	Child; 12 or fewer children under the age of 12	1	1
	1.52	Reserved		
	1.53	Adult; 12 or fewer people, 12 years and older	1	1
	1.54	Reserved		
1.55	Child care residence, 6 to 9 children under 18 years of age		3	3
1.6	Miscellaneous, rooms for rent situations			
	1.61	Rooming, boarding houses, bed and breakfasts, single room occupancies with shared facilities, transitional housing, and temporary residences. Owner or manager must live on site.	3	1, 3
	1.62	Hotels, motels		
	1.63	Single room occupancies with private facilities		1, 3
1.7	Home occupations		1	1
1.8	Mobile homes			
	1.81	Residential mobile homes on individual lots <sup>E</sup>	3	
	1.815	Caretakers mobile homes on individual lots <sup>E</sup>	3	3
	1.82	Mobile home parks <sup>E</sup>		3
	1.83	Mobile home subdivision <sup>E</sup>		3
	1.84	Recreational vehicle parks <sup>F</sup>	3 <sup>F</sup>	
1.9	Common wall development			
	1.91	Two dwelling units		1
	1.911	Accessory apartments <sup>x</sup>	1, 3	1, 3
	1.92	Three or more dwelling units		1, 3

Attachment G - Table of Permissible Uses Comparison D3 vs D18

	1.93	Two dwelling unit structures allowed under special density considerations, subsections 49.25.510(h)	3	3
2	SALES AND RENTAL GOODS, MERCHANDISE OR EQUIPMENT <sup>G</sup>			
2.1	With less than 5,000 square feet and less than 20 percent of the gross floor area of outside merchandising of goods			
	2.11	<i>Reserved</i>		
	2.12	Miscellaneous		
	2.13	Marine merchandise and equipment		
2.2	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			
2.3	Marijuana retail store			
3	PROFESSIONAL OFFICE, CLERICAL, RESEARCH, REAL ESTATE, OTHER OFFICE SERVICES <sup>G</sup>			
3.05	Offices of not more than 1,000 square feet		3	3
3.1	Offices greater than 1,000 but not more than 2,500 square feet			3
3.2	<i>Reserved</i>			
3.3	Research, laboratory uses			
3.4	Offices greater than 2,500 square feet			
3.5	Marijuana testing facility			
4	MANUFACTURING, PROCESSING, CREATING, REPAIRING, RENOVATING, PAINTING, CLEANING, ASSEMBLING OF GOODS <sup>G</sup>			
4.05	Light manufacturing			3
4.07	Medium manufacturing			
4.1	Heavy manufacturing			
4.15	Rock crusher		1 <sup>Q</sup>	
4.2	Storage of explosives and ammunition			
4.21	Seafood processing			
4.22	Marijuana product manufacturing facility			
5	EDUCATIONAL, CULTURAL, RELIGIOUS, PHILANTHROPIC, SOCIAL, FRATERNAL USES			
5.1	Schools			
	5.11	Elementary and secondary schools including associated grounds and other facilities	3	3
	5.12	Trade, vocational schools, commercial schools		
	5.13	Colleges, universities	3	3
5.2	Churches, synagogues, temples		3	3
5.3	Libraries, museums, art galleries		3	3
5.4	Social, fraternal clubs, lodges, union halls, yacht clubs			
6	RECREATION, AMUSEMENT, ENTERTAINMENT			

Attachment G - Table of Permissible Uses Comparison D3 vs D18

6.1	Indoor activity conducted entirely within building or substantial structure			
	6.11	Bowling alleys, billiard, pool halls		
	6.12	Tennis, racquetball, squash courts, skating rinks, exercise facilities, swimming pools, archery ranges		3
	6.13	Theaters seating for 200 or fewer		3
	6.135	Theaters seating from 201 to 1,000		
	6.14	Coliseums, stadiums, and other facilities in the 6.100 classification seating more than 1,000 people		
	6.15	Indoor shooting range		
6.2	Outdoor activity conducted outside enclosed buildings or structures			
	6.21	Recreational facilities such as golf, country clubs, swimming, tennis courts not constructed pursuant to a permit authorizing the construction of a school	3	3
	6.22	Miniature golf courses, skateboard parks, water slides, batting cages	3	3
	6.24	Automobile, motorcycle racing tracks; off-highway vehicle parks		
	6.25	<i>Reserved</i>		
	6.26	Open space	1	1
	6.262	Parks with improved facilities, not approved in conjunction with a major subdivision		
	6.264	Capacity for up to 20 people <sup>w</sup>	1	1
	6.266	Capacity for more than 20 people <sup>w</sup>	3	3
	6.27	Aerial conveyances and appurtenant facilities	3	3
	6.28	Shooting ranges		
7	INSTITUTIONAL DAY OR RESIDENTIAL CARE, HEALTH CARE FACILITIES, CORRECTIONAL FACILITIES			
7.1	Hospital			

Attachment G - Table of Permissible Uses Comparison D3 vs D18

7.15	Health care clinics, other medical treatment facilities providing out-patient care			3
7.2	Assisted living		3	3
7.3	Day care centers			3
7.31	Child care centers		3	3
7.5	Correctional facilities		3	3
7.6	Sobering centers			
8	RESTAURANTS, BARS, NIGHTCLUBS			
8.05	Small restaurants, less than 1,000 ft <sup>2</sup> without drive through service			3
8.1	Restaurants, bars without drive through service			
8.2	Restaurants, coffee stands with drive through service			
8.3	Seasonal open air food service without drive through			
9	BOAT OR MOTOR VEHICLE, SALES AND SERVICE OPERATIONS			
9.05	Motor vehicle, mobile home sale or rental			
9.1	Motor vehicle repair and maintenance, including body work			
9.2	Automotive fuel station			
9.3	Car wash			
9.4	Boat sales or rental			
9.45	Boat repairs and maintenance			
9.5	Marine fuel, water sanitation			
9.6	Marine commercial facilities including fisheries support, commercial freight, passenger traffic			
10	STORAGE, PARKING, MOORAGE			
10.1	Automobile parking garages or parking lots not related to a principal use on the lot			
10.2	Storage and handling of goods not related to sale or use of those goods on the same lot on which they are stored			
	10.21	All storage within completely enclosed structures		
	10.22	General storage inside or outside enclosed structures		
	10.23	Snow storage basin		
	10.232	Neighborhood, less than ½ acre	3 <sup>Z</sup>	3 <sup>Z</sup>
	10.235	Regional, ½ to 1 acre	3 <sup>Z</sup>	
	10.237	Area wide, over 1 acre	3 <sup>Z</sup>	
10.3	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			
10.4	Temporary contractor's storage connected with construction project off-site for a specified period of time		3	3
10.5	Moorage			
	10.51	Public, commercial	3	

Attachment G - Table of Permissible Uses Comparison D3 vs D18

	10.52	Private	1, 3	1, 3
10.6	Floating structures supporting seasonal, commercial recreation		3	
11	MATERIALS SALVAGE YARDS, WASTE MANAGEMENT			
11.1	Recycling operations			
	11.11	Enclosed collection structures <sup>0</sup> of less than 80 square feet total and less than six feet in height	1 <sup>P</sup>	1 <sup>P</sup>
	11.12	Enclosed structures for recyclable materials collection	1 <sup>P</sup> , 3	1 <sup>P</sup> , 3
	11.13	Sorting, storage, preparation for shipment occurring outside an enclosed structure		
11.2	Reclamation landfill not associated with a specific use		1, 3	1, 3
11.3	Sanitary landfill			
12	SERVICES AND ENTERPRISES RELATED TO ANIMALS			
12.1	Veterinary clinic		3	
12.2	Kennel			
12.25	Day animal services, grooming, walking, day care		3	
12.3	Zoos, aquaria, or wild animal rehabilitation facilities with a visitor component			
12.31	Wild animal rehabilitation facilities without a visitor component		3	
12.4	Horseback riding stables, dog team yards			
13	EMERGENCY SERVICES			
13.1	Fire, police, ambulance		3	3
14	AQUACULTURE, AGRICULTURE, SILVICULTURE, MINING, QUARRYING OPERATIONS, SPRING WATER BOTTLING			
14.1	Aquaculture		3	
14.15	Weirs, channels, and other fisheries enhancement		1, 3	1, 3
14.2	Commercial agricultural operations			
	14.21	Excluding farm animals	3	3
	14.22	Including farm animals <sup>M</sup>		
	14.23	Stabling of farm animals <sup>M</sup>	3	
	14.24	Marijuana cultivation (500 square feet or more under cultivation)		
	14.245	Marijuana cultivation (fewer than 500 square feet under cultivation)		
14.25	Personal use agriculture			
	14.253	Hens, 6 maximum	1	3
14.3	Silviculture and timber harvesting <sup>J</sup>			
14.4	Mining operations		3	
14.5	Sand and gravel operations <sup>I</sup>		3	
14.8	Spring water bottling			3
15	MISCELLANEOUS PUBLIC AND SEMIPUBLIC FACILITIES			

Attachment G - Table of Permissible Uses Comparison D3 vs D18



15.1	Post office		3	1, 3
15.2	Airport			
15.4	Military reserve, National Guard centers		3	
15.5	Heliports, helipads			
15.6	Transit facilities			
	15.61	Transit center	3	3
	15.62	Transit station	1	1
	15.63	Park and ride not associated with transit station	3	3
15.7	Public works facility		3	
16	DRY CLEANER, LAUNDROMAT			
16.1	Drop off and pickup only, no onsite laundry or dry cleaning process			1, 3
16.2	Full service onsite laundry and/or dry cleaning			
17	UTILITY FACILITIES			
17.1	Minor		1	1
17.15	Intermediate		3	3
17.2	Major		3	3
17.3	Driveways and private roads			
18	TOWERS AND RELATED STRUCTURES			
18.100 <sup>AA</sup>	Towers and antennas 35 feet or less		1	1
18.200 <sup>AA</sup>	Towers and antennas 35 to 50 feet		3	3
18.300 <sup>AA</sup>	Towers and antennas more than 50 feet in height		3	3
18.4	Amateur (ham) radio towers and antennas more than 35 feet in height <sup>R</sup>		1	1
18.5	Wireless Communication Facilities			
19	OPEN AIR MARKETS, NURSERIES, GREENHOUSES			
19.1	Open air markets (farm, craft, flea, and produce)			
19.2	Nurseries, commercial greenhouses			
	19.21	Retail sales	3	3
	19.22	Nonretail sales	1, 3	1, 3
	19.23	Marijuana cultivation (500 square feet or more under cultivation)		
	19.24	Marijuana cultivation (fewer than 500 square feet under cultivation)		
20	CEMETERY, CREMATORIUM, MORTUARY			
20.1	Cemetery		3	3
20.2	Crematorium			
20.3	Funeral home		3	
21	VISITOR-ORIENTED, RECREATIONAL FACILITIES			
21.1	Resort, lodge			
21.2	Campgrounds			

Attachment G - Table of Permissible Uses Comparison D3 vs D18

21.3	Visitor, cultural facilities related to features of the site		
22	TEMPORARY STRUCTURES ASSOCIATED WITH ONSITE CONSTRUCTION		
22.1	Temporary structures used in connection with construction	1	1



Search nominations



State of Alaska
Department of Fish and Game
Sportfish Division

Nomination Details For
Anadromous Waters Catalog
Nomination Number 06-507

Region: Southeastern
Upper Reach Latitude 0.0000
Lower Reach Latitude 0.0000
AWC Water body # 111-40-10910

USGS Quad: Juneau B-2
Longitude 0.0000 (NAD83/WGS84)
Longitude 0.0000 (NAD83/WGS84)
AWC Water body Name Grant Creek

Observations

Species Date Observed Activity
coho salmon (anadromous) Present

Comments: Jackie Timothy (HBIV) and Sheila Cameron (HBII) verified that Grant Creek is not anadromous above the Douglas Highway, on Monday, June 26, 2006. The ADF&G Juneau Fish Habitat Assessment states "A series of falls about 0.6 mile upstream from the mouth are believed to be a barrier to upstream migration" (Mike Bethers, 1995, page 53). The culvert under the Douglas highway is above the series of falls and is perched about five feet. We set minnow traps below the culvert during our field visit and caught several three-spine stickleback. We found a dead juvenile Dolly Varden near the mouth of Grant Creek. Will collect lat and long info later this week.

Name of Observer: Jackie Timothy Submission Date: 09/25/06
ADFG Biologist: Nomination Status: Change

Nomination Changes To The AWC

Table with 5 columns: Region, Map(quad), AWC Stream #, Stream Name, Action Taken, Species\*, Comments. Contains two rows of nomination changes for Grant Creek.

This nomination is available as a PDF.



06-507.pdf

View the area map for JUNEAU B2SE (2,448 KB)

\*Species Codes:

- AC - Arctic char, BW - Bering cisco, CH - chum salmon, DV - Dolly Varden, SF - inconnu, OL - longfin smelt, OP - pond smelt, SM - smelt, undifferentiated, ST - sturgeon, undifferentiated, AW - Arctic cisco, BC - broad whitefish, CO - coho salmon, OU - eulachon, LP - lamprey, undifferentiated, PC - Pacific lamprey, OM - rainbow smelt, S - sockeye salmon, W - whitefish, undifferentiated, AL - Arctic lamprey, K - chinook salmon, CT - cutthroat trout, HW - humpback whitefish, LC - least cisco, P - pink salmon, LV - river lamprey, SH - Steelhead trout

\*Activity Codes:

s - spawning r - rearing p - present m - migration

**Irene Gallion**

---

**From:** Irene Gallion  
**Sent:** Monday, August 12, 2024 4:09 PM  
**To:** Drown, Arthur EE (DOT)  
**Cc:** Jason Larson; Ilsa Lund  
**Subject:** Eight rezones for ADOT&PF consideration  
**Attachments:** APP\_AME24-02.pdf; Agency Comments Form, AME24-02.pdf; APP\_AME24-03.pdf; Agency Comments Form, AME24-03.pdf; APP\_AME24-04.pdf; Agency Comments Form, AME24-04.pdf; APP\_AME24-05.pdf; Agency Comments Form, AME24-05.pdf; APP\_AME24-06.pdf; Agency Comments Form, AME24-06.pdf; APP\_AME24-07.pdf; Agency Comments Form, AME24-07.pdf; APP\_AME24-08.pdf; Agency Comments Form, AME24-09.pdf

Hi Arthur,

We have eight proposed rezones coming up to the Planning Commission in October. I've attached them for distribution and consideration. I know you usually don't have interest until actual development, but if you have any concerns in the meantime we are happy to hear them.

We've got some time on these. It would be nice to have a general idea of ADOT&PF concerns for the public meetings. However, this will not go to the Commission until October 22. **If we could have comments by September 23 that would be great!** Let us know if you need more time.

Number	Public Info Mtg	Brief desc.	Access	Notes for ADOT&PF
AME24-02	Pending	39 acres from D3 to D18 at South Grant Creek.	N Douglas Hwy	Access through lot owned by private developer, between 4275 and 4305.
AME24-03	Thursday, 9/12/2024	2.3 acres at the end of Davis Avenue from D10 to D15.	Davis Avenue	Possible addition of nine units to Davis Avenue/Glacier intersection.
AME24-04	Tuesday, 9/17/2024	Rezone of 66 acres uphill (southwest) of 6101 through 6615 North Douglas Highway from RR to D3	N Douglas Hwy	via CBJ-owned lots between 6015 and 6101.
AME24-05	Wednesday, 9/11/2024	Rezone of 36 acres uphill (north) of 11900 through 12170 Glaciers Highway from D3 to D15.	Glacier Hwy	Via CBJ-owned lots between Seaview Avenue and 12158
AME24-06	Monday, 9/23/2024	Rezone of approximately 33 acres uphill (north) of 15200 through 15860 Glaciers Highway from RR to D3.	Auke Bay Bypass?	Utilities via easements from Glacier Hwy. CBJ does not own land to provide access from Glacier Hwy.
AME24-07	Thursday, 9/19/2024	Rezone approximately six acres of 10SF to D10 at top (north) of Karl Reishus Boulevard.	Karl Reishus Boulevard	No change to density, just type of development.
AME24-08	Wednesday, 9/18/2024	Rezone approximately 77 acres of RR to D3 in the	N Douglas Hwy	Direct access to N Douglas Hwy.

		vicinity of Fish Creek on North Douglas Highway.		
AME24-09	Pending	~87 acres at North Grant Creek, D3 to D15	N Douglas Hwy	Access to the highway needs to be negotiated still.

I've attached a comment sheet for each case for ease of ADOT&PF use.

These cases are also on the short term web page: <https://juneau.org/community-development/short-term-projects> The background for AME24-03 that is posted on the web page may be helpful in considering Davis Avenue intersection impacts.

Please "respond all." We are backing each other up during flood response activities.

Thanks!

**Irene Gallion | Senior Planner**

Community Development Department | City & Borough of Juneau, AK  
 Location: 230 S. Franklin Street | 4<sup>th</sup> Floor Marine View Building  
 Office: 907.586.0753 x4130



*Fostering excellence in development for this generation and the next.*



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

**COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT**

**DEPARTMENT:** DOT&PF  
**STAFF PERSON/TITLE:** Arthur Drown, Right of Way Property Management  
**DATE:** 09/10/2024  
**APPLICANT:** CBJ Lands  
**TYPE OF APPLICATION:** AME (Rezone)  
**PROJECT DESCRIPTION:**  
~87 acres at North Grant Creek, D3 to D15  
  
**LEGAL DESCRIPTION:** USS 4605 FR  
**PARCEL NUMBER(S):** 6D06011000010  
**PHYSICAL ADDRESS:** Not assigned.  
**SPECIFIC QUESTIONS FROM PLANNER:**

**AGENCY COMMENTS:**

DOT&PF has no specific comment at this time. Future development should be coordinated with the department regarding access permitting and planning of hydrological and traffic impacts to North Douglas Highway facilities as early as possible.

**Irene Gallion**

---

**From:** Irene Gallion  
**Sent:** Tuesday, August 13, 2024 2:33 PM  
**To:** Jeffrey Hedges; General Engineering; Theresa Ross  
**Cc:** Ilsa Lund; Jason Larson  
**Subject:** Eight rezones for your consideration  
**Attachments:** APP\_AME24-02.pdf; Agency Comments Form, AME24-02.pdf; APP\_AME24-03.pdf; Agency Comments Form, AME24-03.pdf; APP\_AME24-04.pdf; Agency Comments Form, AME24-04.pdf; APP\_AME24-05.pdf; Agency Comments Form, AME24-05.pdf; APP\_AME24-06.pdf; Agency Comments Form, AME24-06.pdf; APP\_AME24-07.pdf; Agency Comments Form, AME24-07.pdf; APP\_AME24-08.pdf; Agency Comments Form, AME24-09.pdf

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Please “respond all.” We are backing each other up during flood response activities.

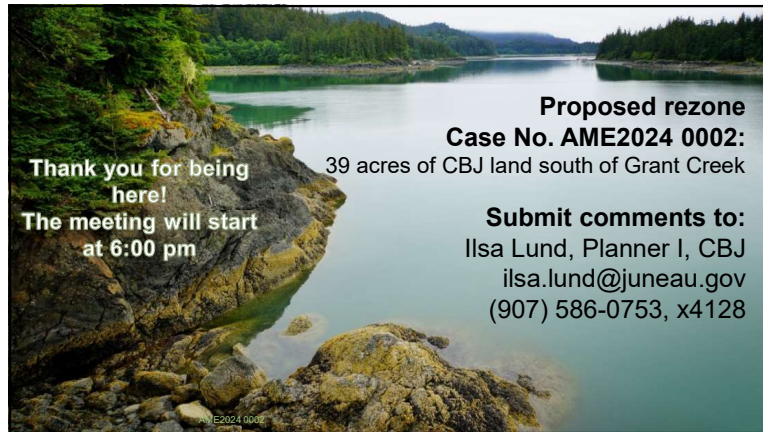
Thanks!

**Irene Gallion | Senior Planner**  
 Community Development Department | City & Borough of Juneau, AK  
 Location: 230 S. Franklin Street | 4<sup>th</sup> Floor Marine View Building  
 Office: 907.586.0753 x4130



*Fostering excellence in development for this generation and the next.*





**Thank you for being here!**  
**The meeting will start at 6:00 pm**

**Proposed rezone**  
**Case No. AME2024 0002:**  
39 acres of CBJ land south of Grant Creek

**Submit comments to:**  
Ilsa Lund, Planner I, CBJ  
ilsa.lund@juneau.gov  
(907) 586-0753, x4128

AME2024 0002

1

# AME2024-0002

Rezone of 39 acres south of Grant Creek  
From D3 to D18  
APPLICANT: CBJ Lands and Resources

START RECORDING




AME2024 0002


2

## What will happen today

- Presentation from CBJ
  - What is being requested and why
  - Regulatory details
  - What the process is
- Applicant shares information
- Open to your questions.



AME2024 0002



3

## What is a "rezone"?



AME2024 0002

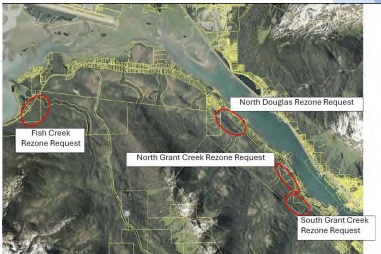


4


### Why rezone?

- Housing Assembly's #1 priority
- Review of
  - CBJ land portfolio
  - Land Management Plan
  - Topography
  - Access
  - Road frontage
  - Utilities
  - Wetlands

Rezoning cannot be conditioned, but modifications can be made to the approval.




AME2024 0002




5

### 2022 Property Acquisition and Disposal (PAD2022 0002)

- In 2022, Grant Creek Homes, LLC (GCH) applied for a CBJ land swap.
- The Assembly Lands, Housing and Economic Development Committee and the Planning Commission recommended approval for proposed disposal and acquisition.
- The land GCH already owns is zoned D18 and don't want to acquire the land under a different zoning district.



AME2024 0002

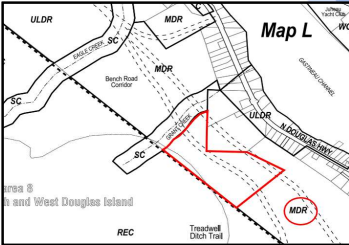


6


### Comprehensive Plan guides

MEDIUM DENSITY RESIDENTIAL

- Urban residential lands
- Multi-family
- Density of 5-20 units per acre
- Commercial development must be consistent with residential

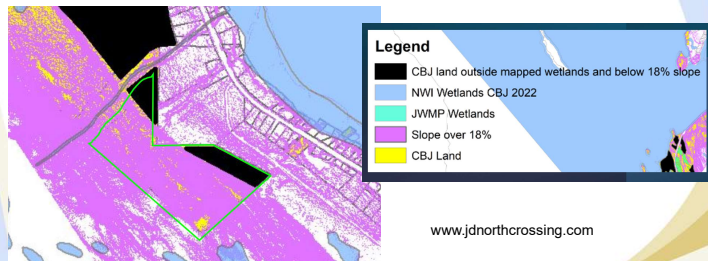


AME2024 0002



7

### Slope and Wetlands




Legend

- CBJ land outside mapped wetlands and below 18% slope
- NWI Wetlands CBJ 2022
- JWMP Wetlands
- Slope over 18%
- CBJ Land

www.jdnorthcrossing.com

AME2024 0002



8

# What do plans say about land use?

## What does rezoning to D18 look like?




AME2024 0002

9

# Table of Permissible Uses- Residential



Use Description		D-3	D-18
1	RESIDENTIAL		
1.1	Single-family dwellings		
1.11	Single-family detached, one dwelling per lot	1	1
1.12	Single-family detached, two dwellings per lot	1	1
1.13	Single-family detached, accessory apartment <sup>1</sup>	1, 3	1, 3
1.14	Single-family detached, two dwellings per lot, accessory apartments <sup>2</sup>	1, 3	1, 3
1.2	Duplex	1	1
1.3	Multifamily dwellings	1, 3	1, 3
1.5	Child and Day care homes		
1.51	Child: 12 or fewer children under the age of 12	1	1
1.53	Adult: 12 or fewer people, 12 years and older	1	1
1.55	Child care residence, 6 to 9 children under 18 years of age	3	3
1.6	Miscellaneous, rooms for rent situations		
1.61	Rooming, boarding houses, bed and breakfasts, single room occupancies with shared facilities, transitional housing, and temporary residences. Owner or manager must live on site.	3	1, 3
1.62	Hotels, motels		
1.63	Single room occupancies with private facilities	1, 3	1, 3
1.7	Home occupations	1	1
1.9	Common wall development		
1.91	Two dwelling units		1
1.911	Accessory apartments <sup>3</sup>	1, 3	1, 3
1.92	Three or more dwelling units		1, 3



AME2024 0002

10

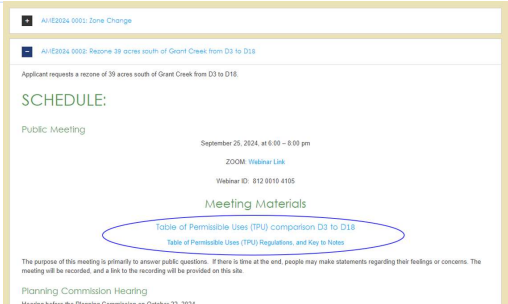

# To find the details...

AME2024 0002

11

# To find the details...





AME2024 0002

12

### Similarities between D3 and D18

- Single-Family Dwellings
- Accessory Apartments
- Duplexes
- Child and Daycare Homes
- Home Occupations
- Open Space
- Transit Station
- Minor Utility Facilities
- Temporary Structures used in Connection With Construction



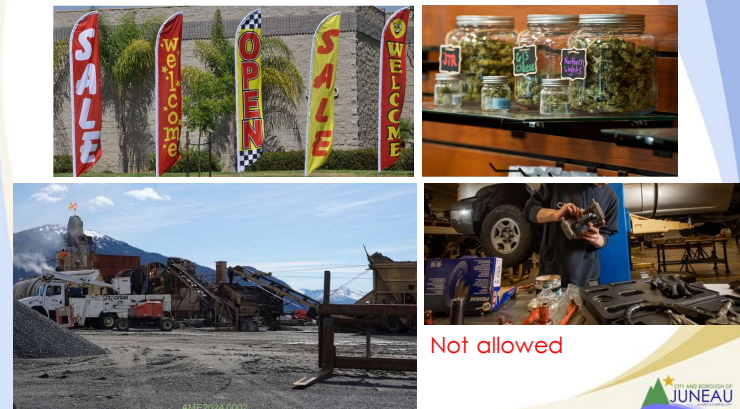
13

### D3 & D18: Requires Conditional Use Permit


- Rooming and Boarding Houses
- Schools
- Churches, Synagogues, Temples
- Libraries, Museums, Art Galleries
- Most Outdoor Recreational Facilities
- Assisted Living Centers, Child Care Centers
- Correctional Facilities
- Transit Centers



14




Not allowed



15

### Differences between D3 and D18

USE	Current D3	Proposed D18
Common Wall Development- two units	No	Yes
Common Wall Development- three units	No	Yes/CUP
Out-patient clinics	No	CUP
Services and Enterprises Related to Animals	CUP	No
Funeral Home	Yes	No
Light manufacturing	No	CUP
Theatres under 200 seats	No	CUP
Mining Operation/ Gravel Extraction	CUP	No
Hens, 6 maximum	Yes	CUP
Public Works Facilities	CUP	No




16

## Dimensional Standards

	Current Actual	Current D3	Proposed D18
Minimum lot size, square feet	33/654 acres	12,000 sq. ft.	5,000 sq. ft.
Minimum lot width, linear feet		100 ft.	50 ft.
Maximum lot coverage	0%	35%	50%
Maximum height, permissible		35 ft	35 ft.
Maximum height, accessory		25 ft	25 ft.
Minimum front yard setback		25 ft.	20 ft.
Minimum rear yard setback		25 ft.	10 ft.
Minimum side yard setback		10 ft.	5 ft.
Minimum street side setback		17 ft.	13 ft.

**Anadromous Streams: 50' no development, 25' no disturb.**





AME2024 0002

17

## Potential for Subdivision

D3: 117 units  
D18: 702 units



18 AME2024 0009

18

## Process


- Neighborhood informational meeting
- Staff analysis and report
- Report posted week of October 14, 2024
- Planning Commission Hearing: October 22, 2024.

Recommendation to:

- Approve
- Approve with modification
- Deny
- Continue

---

- Schedule with the Assembly (no post cards)




AME2024 0002

19

## Thank you!

- Dan Bleidorn- CBJ Lands Manager




AME2024 0002

20




## How to Comment

- Tonight
  - “Raise Hand” feature
  - Dial \*9 on your phone
  - Type questions in “Q&A.”
- Up until September 30- comments included in Staff Report
- No later than NOON on THURSDAY, OCTOBER 17, 2024
  - [PC\\_Comments@juneau.gov](mailto:PC_Comments@juneau.gov)
  - [ilsa.lund@juneau.gov](mailto:ilsa.lund@juneau.gov)
- Attend the PC meeting in-person or virtually



21

## To find the details...

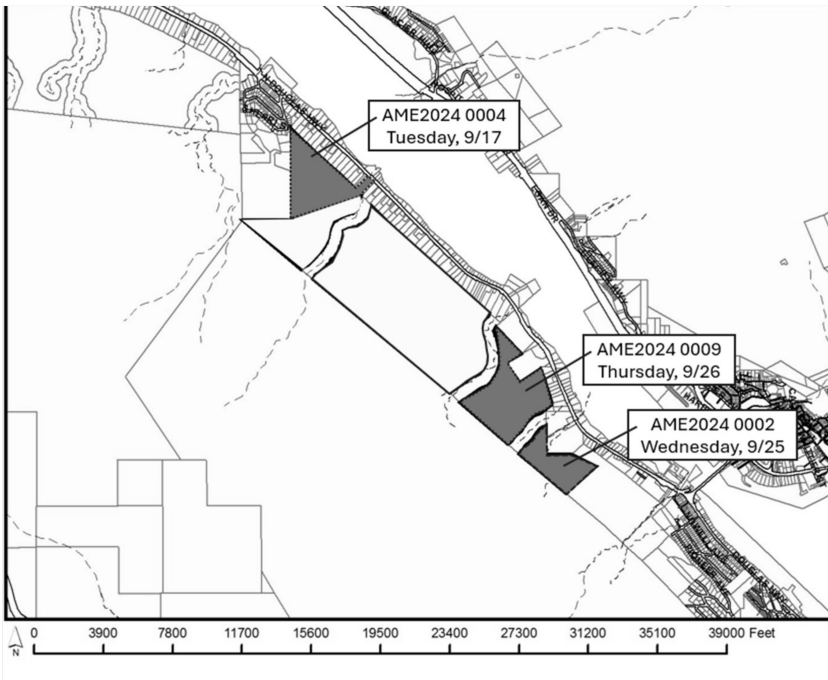


The screenshot shows the City and Borough of Juneau website. The navigation menu on the right includes: LAND USE CODES, REQUEST APPLICATION, LONG TERM PLANNING, PLANNING COMMISSION CASES (highlighted with a pink arrow), and SPECIAL PROJECTS. The main content area features a 'CDD is Hiring!' announcement and a notice about the fourth annual competitive round for the Juneau Affordable Housing Fund (JAHF).



22

Please come to a meeting about  
**REZONING** in your neighborhood.  
 YOUR COMMUNITY, YOUR VOICE



TO

The Community Development Department is hosting opportunities for the community to discuss applications to rezone CBJ owned land upslope along North Douglas Highway. These meetings will be held virtually over Zoom. Your questions, comments and concerns are welcome.

## NEIGHBORHOOD MEETINGS

**AME2024 0004**  
 Tuesday, Sept. 17, 2024– 6:00 p.m.  
 Rezone 66 acres from RR to D3  
 Call In: 1(253)215-8782  
 Webinar ID: 811 8463 6159  
<https://juneau.zoom.us/j/81184636159>

**AME2024 0002**  
 Wednesday, Sept. 25, 2024– 6:00 p.m.  
 Rezone 39 acres from D3 to D18  
 Call In: 1(253)215-8782  
 Webinar ID: 821 0010 4105  
<https://juneau.zoom.us/j/82100104105>

**AME2024 0009**  
 Thursday, Sept. 16, 2024– 6:00 p.m.  
 Rezone ~87 acres from D3 to D15  
 Call In: 1(253)215-8782  
 Webinar ID: 886 7758 4261  
<https://juneau.zoom.us/j/88677584261>

If you are not able to attend these meeting but have questions or comments, please contact **Ilsa Lund**, CDD Planner, at (907) 586-0753 ext. 4128 or [ilsa.lund@juneau.gov](mailto:ilsa.lund@juneau.gov).

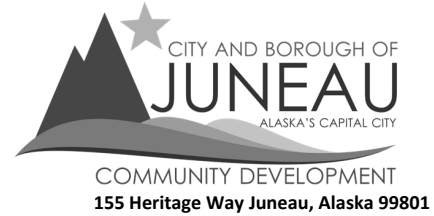
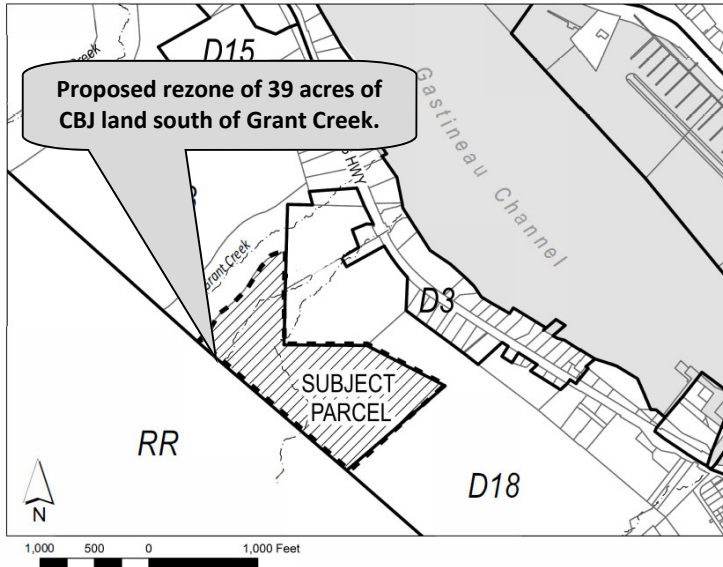
*These projects are scheduled for review by the Planning Commission on October 22, 2024. All property owners within 500 feet of the proposed rezone will receive a separate notice with details on how and where to submit comments or testify before the Commission.*

**Case No.:** AME2024 0002; AME2024 0004; AME2024 0009  
**Parcel No.:** 6D0611000010  
**CBJ Parcel Viewer:** <http://epv.juneau.org>

# Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

*Your Community, Your Voice*



TO

An **amendment** application has been submitted for consideration and public hearing by the Planning Commission to rezone 39 acres of CBJ land south of Grant Creek on Douglas from D3 to D18.

Please note, the Commission meeting will begin an hour earlier than normally scheduled.

## PROJECT INFORMATION:

Project Information can be found at:

<https://juneau.org/community-development/short-term-projects>

## PLANNING COMMISSION DOCUMENTS:

Staff Report expected to be posted **October 14, 2024** at

<https://juneau.org/community-development/planning-commission>

Find hearing results, meeting minutes, and more here, as well.

**Now through Oct. 7**

Comments received during this period will be sent to the Planner, **Ilsa Lund**, to be included as an attachment in the staff report.

**Oct. 8 noon, Oct. 17**

Comments received during this period will be sent to Commissioners to read in preparation for the hearing.

**HEARING DATE & TIME: 6:00 pm, Oct. 22, 2024**

This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting <https://juneau.zoom.us/j/87288626638> and use the Webinar ID: **872 8862 6638** OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above).

You may also participate in person in City Hall Assembly Chambers, 155 Heritage Way Juneau, Alaska.

**October 23**

The results of the hearing will be posted online.

## FOR DETAILS OR QUESTIONS,

Phone: (907)586-0753 ext. 4128

Email: [pc\\_comments@juneau.gov](mailto:pc_comments@juneau.gov) or [ilsa.lund@juneau.gov](mailto:ilsa.lund@juneau.gov)

Mail: Community Development, 155 Heritage Way, Juneau AK 99801

**Case No.: AME2024 0002**

**Parcel No.: 6D0611000010**

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





**NOTICE** 586-0715  
ZONE CHANGE REQUEST  
CASE: AME 2024 0002  
REZONE OF 39 ACRES  
FROM RESIDENTIAL  
(D3) TO RESIDENTIAL  
(D18).  
HEARING DATE: 10/22/2024

**PUBLIC NOTICE**  
ZONE CHANGE REQUEST  
CASE: AME 2024 0009  
REZONE APPROX. 87 ACRES  
FROM RESIDENTIAL (D3)  
TO RESIDENTIAL (D15)  
NORTH OF GRANT CREEK.  
HEARING DATE: 10/22/2024  
To submit comments or obtain additional  
information, contact the City Community  
Development Department, Marine View  
Center, [address]

Attachment M - Public Notice Sign Photo



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**From:** Kaysa Korpela <juneau51@hotmail.com>  
**Sent:** Thursday, September 5, 2024 4:23 PM  
**To:** Ilsa Lund  
**Subject:** Rezoning of CBJ property on N.Douglas

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

I am not in favor of the parcels AME2024 0002 and AME2024 0009 being rezoned to D18 and D15 from D3. Thlingit and Haida already has 8.5 acres zoned D18 between the bridge and approximately 1 mile out N Douglas on the uphill side. Until a second crossing becomes a reality increasing the density of land available for development at this time would create too much stress on the existing infrastructure-sewer, water, electricity, not to mention the highway. As it is now, there is only one exit off Douglas Island for the hundreds of current residents. Should that bridge become unpassable for any reason the City is going to have a mess on it's hands.

The likelihood of this land being developed in the near future is remote and therefore I would recommend that you wait to rezone these two parcels until a later date when a second crossing becomes available. With the Channel drying up at the speed that it is a second crossing could be a causeway rather than a bridge which would bring the costs down considerably.

Thank you for considering my comments.

Kaysa Korpela  
4031 N. Douglas Hwy

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**From:** Jason Keedy <jdkeedy@gmail.com>  
**Sent:** Tuesday, September 24, 2024 12:00 PM  
**To:** Ilsa Lund  
**Subject:** Douglas Rezoning

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

Hello -

As a resident on Douglas I am against the proposed rezoning of parcels running approximately 1/4 mile from the bridge out past Mike Hatch shop. The parcels are above the current 8 1/2 acres owned by a Thlingit & Haida which is already zoned D18. I have heard The City wants to rezone the two new parcels, one which is 39 acres and is currently zoned D3, to D18 and the second parcel which is 87 acres and is currently zoned D3, to D15. Doing so at this time is absurd. With no second crossing imminent, having over 200 acres on N. Douglas zone D15-D18 is not good planning.

Thank you

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**From:** Karen Lechner <sendmessageshere@gmail.com>  
**Sent:** Monday, October 7, 2024 10:05 AM  
**To:** Ilsa Lund  
**Subject:** Public Comments: Proposed Rezone of 39 Acres of CBJ Land S of Grant Creek

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

Good morning -

I am emailing to comment on the proposed rezone of 39 acres of CBJ land south of Grant Creek. While I agree that more land needs to be open to development in CBJ, this parcel is one of multiple CBJ parcels accessed singularly by N Douglas Hwy that are being rezoned. It is also located above privately held land by Tlingit Haida that was more recently rezoned to D18 and is earmarked for high density housing.

Our home is located at 4025 N Douglas Hwy (Thorne Subdivision), approximately .5 miles N of the roundabout. Currently, to pull onto N Douglas Hwy from the unmaintained city street (Thorne Street) that we need to use to access our drive, we have to be aware of vehicles coming out of a curve to the north, frequently at speeds 10mph over the highway speed limit. Even when entering the highway without seeing a vehicle in the curve, those pushing the speed limit approach rapidly from behind as we are still getting up to speed.

Many vehicles speed past this area, including large buses (I'm looking at you, Salmon Bake). While the rezone is not about policing the speed limit, it (and other rezones on N Douglas Hwy, once developed) have the potential to feed a substantial increase in traffic onto this stretch of highway. There are cyclists, runners, dog walkers, and people just trying to back out of their driveways or enter/exit the highway. Additional congestion puts these individuals at greater risk for unfortunate incidents.

Additionally, at this time there appears to be no CBJ access to this parcel. Below, there is a private access road on the former Catholic Bishop's land, now owned by Tlingit Haida. Thorne Street is undeveloped but only three lots from the Catholic Bishop's drive and doesn't access the CJB parcel, and there is another undeveloped CBJ lot directly to the south of Thorne Subdivision but also doesn't have direct access to this specific CBJ parcel slated for rezone. Potential access might be possible across from Cordova (I understand this is no longer an option), or maybe through an agreement with the Toner-owned property (cleared a while ago, non-water side) close to the roundabout, but those access points face the same hurdle of having to cross private land before reaching the CBJ parcel in question.

Before rezoning all of these parcels, as a Juneau resident and a N Douglas resident who will be impacted by any development on these parcels, I'd like to see CJB complete a comprehensive and detailed assessment of access - utility and vehicular, possibly fast tracking a bench road to lighten the congestion on N Douglas Hwy, and looking at conducting a traffic study with the state Department of Transportation for the traffic on N Douglas and the only bridge to Douglas Island.

While I agree more land is needed for development, quality of life and feasible plans for appropriate infrastructure (roads, sewer, water) and alleviation of congestion or mitigation of excessive impact to existing property owners and congestion on limited roads in these areas needs to be addressed first. As a Juneau resident, I'd prefer to see the long term planning for infrastructure and access flushed out and provided for public review and comment before parcels are rezoned. Rezoning is definitely part of the development roadmap, but I don't believe it is the current step. Without access plans or easements in place, it's a rezoned parcel with uncertain access waiting to be sold to limited buyers. It is my understanding that the idea of a Cordova road extension to N Douglas was shut down because of a similar reason - the potential for road development was not secured by CBJ. Please finalize the long term development plan before rezoning and secure road access to CBJ lands for the benefit of the community. Please don't rezone just because you can. A rezone without a comprehensive plan is a short-sighted, knee jerk reaction and ultimately isn't a value add to the larger community or housing picture if no substantial and ***detailed*** plan beyond "rezone!" exists.

Kind thanks,  
Karen

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**From:** Murray Walsh <murray@acsalaska.net>  
**Sent:** Tuesday, October 8, 2024 3:05 PM  
**To:** Ilsa Lund  
**Subject:** RE: South Grant Creek Rezone

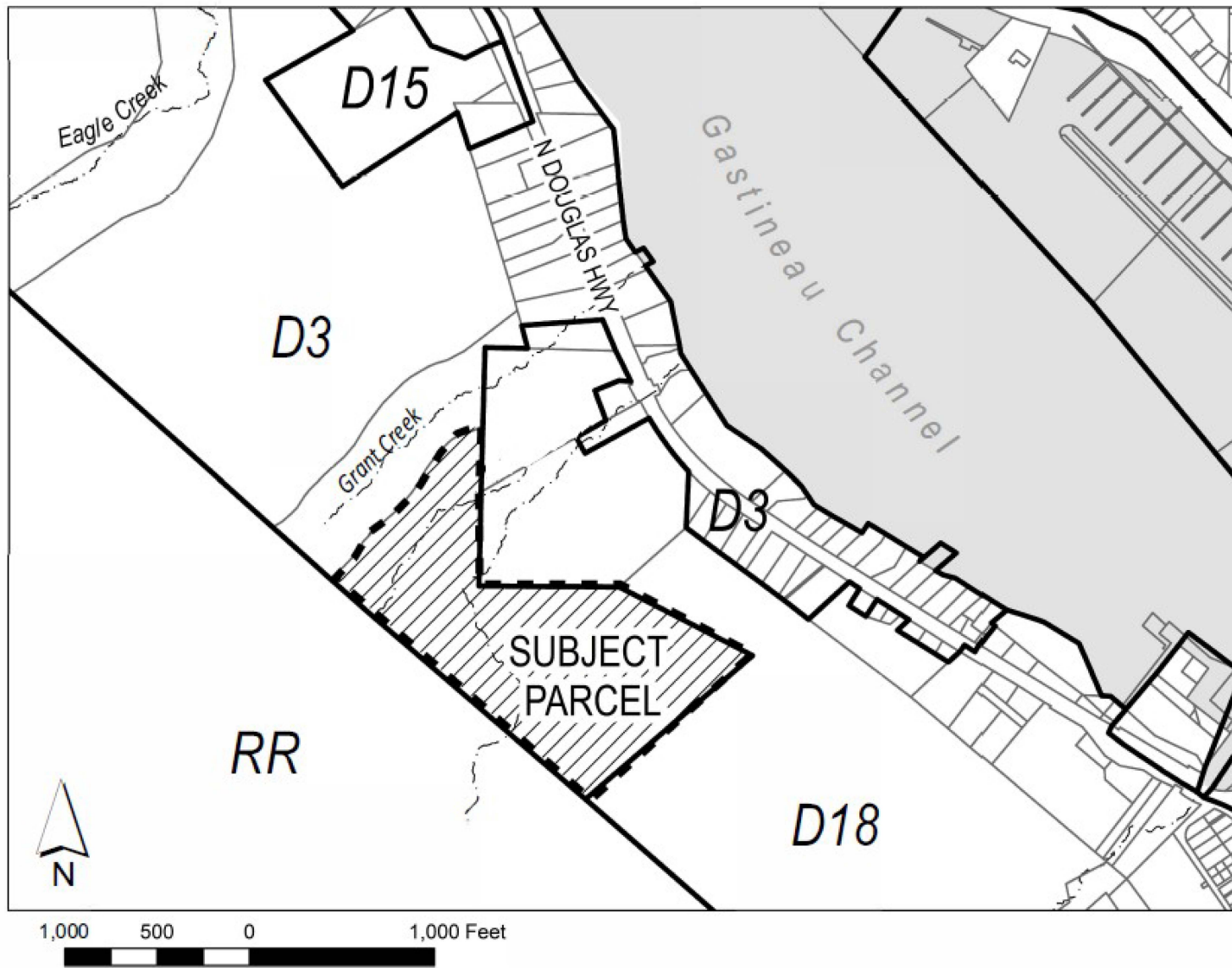
Hi Ilsa,

I will be out of town on 10/22 and I am not sure I will be able to participate in the PC hearing. I would appreciate it if you could pass along the following to the Commission:

I represent Gary Tigar, the landowner who sponsored the proposed land trade that will benefit from the rezone. From a public policy perspective, it is clear that this rezone proposal will have many benefits and will enable much needed higher density residential development that is close to employers, services, and the downtown amenities. The CBJ has developed water and sewer service to support development on the hillsides. Other entities appear eager to engage in development of affordable homes. We certainly are and we urge your approval of the rezone.

Thank you

Murray Walsh



Attachment O - Map of Rezone Area

Presented by:  
Introduced:  
Drafted by: CDD Lund

**ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA**

**Serial No. 2024-XX DRAFT**

**An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of 39 acres of USS 4605 FR, Located on North Douglas Highway, from D3 to D18.**

WHEREAS, the area of the proposed rezone to D18, located on North Douglas Highway is currently zoned as D3; and

WHEREAS, the CBJ Comprehensive Plan maps this area of USS 4605 FR for Medium Density Residential and Resource Development; and

WHEREAS, the proposed rezone is consistent with neighboring areas of Medium Density Residential along North Douglas Highway; and

WHEREAS, housing is the Assembly’s top priority;

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

**Section 1. Classification.** This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

**Section 2. Amendment to the Official Zoning Map.** The official zoning map of the City and Borough, adopted pursuant to CBJ 49.25.110, is amended to change the zoning of 39 acres of USS 4605 FR, located on North Douglas Highway, from D3, to D18.

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

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Beth Weldon, Mayor

Attest:



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Beth McEwen, Municipal Clerk