

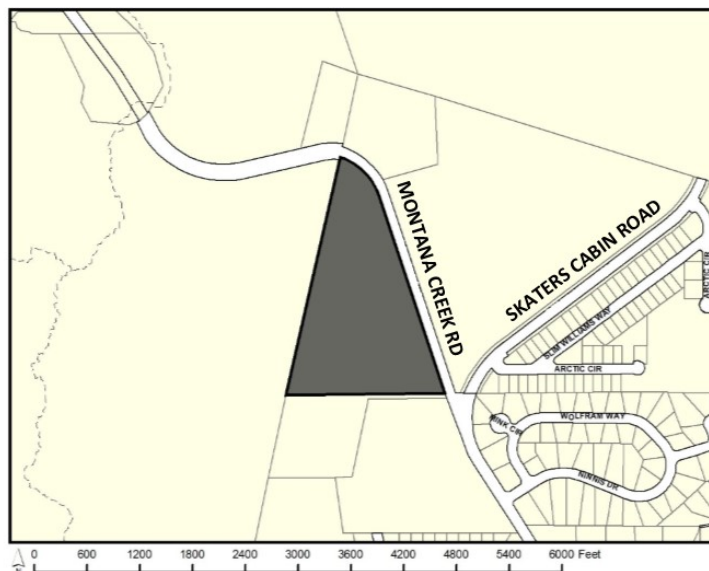
# AME 2019 0008

## A request to rezone ~17 acres from D-3 to D-5

**Planning Commission Meeting  
August 13, 2019**



### Vicinity Map



## Aerial Photo



## Overview

<b>Site Size:</b>	17.34 acres
<b>Property Owner/Applicant:</b>	Coogan Alaska, LLC.
<b>Legal Description:</b>	Glacier Land Subdivision, Lot 1
<b>Existing Zoning:</b>	D-3 (Single family, 3 du/acre)
<b>Comprehensive Plan Land Use Designation:</b>	ULDR ( Urban Low Density Residential)
<b>Utilities:</b>	City water and sewer
<b>Access:</b>	Montana Creek Rd.
<b>Existing Land Use:</b>	Vacant / Prior sand and gravel extraction operation



## Rezone Requirements

### *CBJ 49.75.110 Initiation*

*A developer or property owner may initiate a request for rezoning in January or July. Adequate public notice shall be provided by the director to inform the public that a rezoning has been initiated.*

- **The rezone request was submitted in July 2019. CDD staff held a neighborhood meeting at the Mendenhall Valley Library and all public notice requirements in Title 49 were met.**

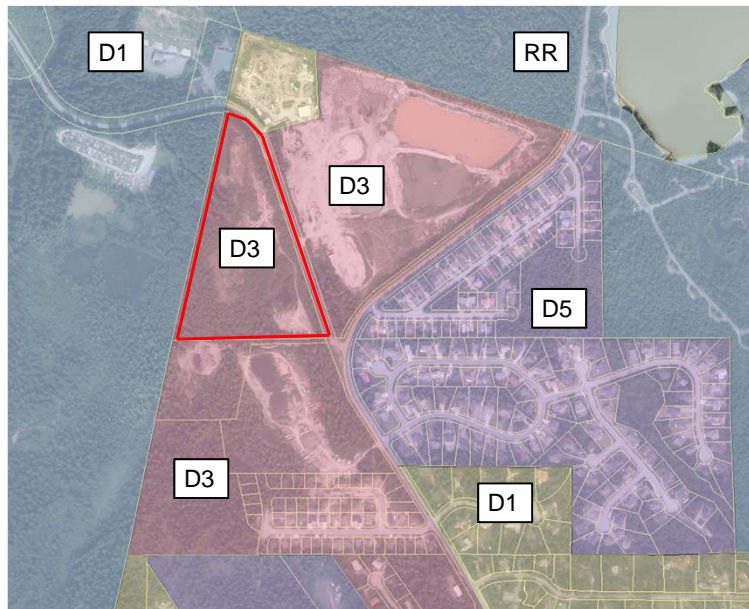
### *CBJ 49.75.120 Restrictions on Re-zoning*

*Rezoning must be more than two acres or an expansion of an existing zone. Requests which are substantially the same as a rezoning request rejected within the previous 12 months shall not be considered.*

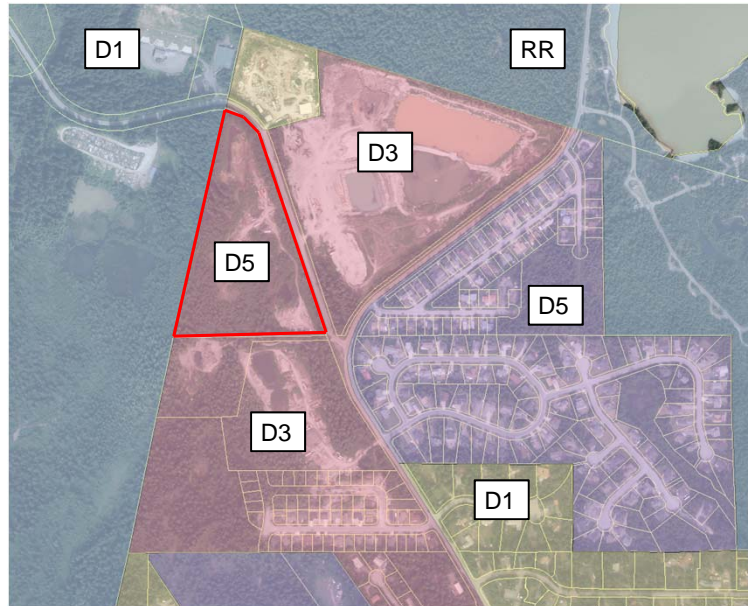
- **The lot is more than two acres and a similar request has not been made within the previous 12 months.**



## Current Zoning



## Proposed Rezone



## Rezone Request

### FROM:

The **D-3, residential district**, is intended to accommodate primarily single-family and duplex residential development at a density of **three dwelling units per acre**. D-3 zoned lands are **primarily located outside the urban service boundary where public utilities are not provided**. The density reflects the existing pattern of development of properties in the district. There is a limited amount of D-3 zoned lands located within the urban service boundary. These are lands for which a lower density is deemed appropriate or, in the case of transition zones, where the zoning will be changed to a higher density when sewer and water are provided.

### TO:

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





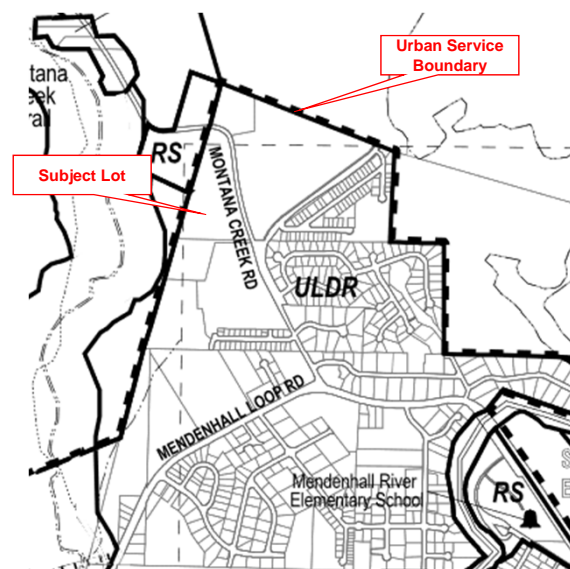
## Rezone Requirements (cont.)

### 49.75.120 Restrictions on Rezoning

*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.*



## Comprehensive Plan Land Use Designation



## Comprehensive Plan Land Use Designation

### Urban/Low Density Residential (ULDR)

These lands are characterized by urban or suburban residential lands with detached single-family units, duplex, cottage or bungalow housing, zero-lot-line dwelling units and manufactured homes on permanent foundations at densities of one to six units per acre. Any commercial development should be of a scale consistent with a single-family residential neighborhood, as regulated in the Table of Permissible Uses (CBJ 49.25.300).



## Rezone Request

		Current Zoning	Proposed Zoning
		D-3	D-5
CUP: Conditional Use Permit, Review by Planning Commission	Single-family residential, duplexes	Dept.	Dept.
	Multifamily	Not allowed	Not allowed
	Bed & Breakfasts, Rooming Houses	CUP	CUP
DEPT: Review by CDD with Building Permit	Hotels, Motels	Not allowed	Not allowed
	Common walls.	Not allowed	Dept.
	Offices less than 1,000 sq. ft.	CUP	CUP
	Rock Crushing	Dept. (Q)	Not allowed
	Veterinary clinic	CUP	Not allowed
	Day animal services, grooming, walking, day care	CUP	CUP
	Outdoor recreation facilities such as golf, country clubs, skateboard parks, batting cages	CUP	CUP
	Tennis, racquetball, squash courts, skating rinks, exercise facilities, swimming pools, archery ranges	Not allowed	CUP
	Sand and gravel operations	CUP	Not allowed
	Mining Operations	CUP	Not allowed



## Public Comments

Concerns raised by the public include:

- Potential for increased vehicle and pedestrian traffic
- Winter maintenance of the multi-modal path along Montana Creek Road
- Over crowding at Auke Bay Elementary School
- Noise from surrounding established uses



## Agency Comments

- AKDOT&PF, CBJ Engineering & Public Works, CBJ Assessor's Office & Capital City Fire and Rescue – No concerns
- Juneau School District – Increased density on the subject lot has the potential to impact enrollment at Auke Bay Elementary School. This proposal, coupled with Pederson Hill and other recent developments in the ABES boundary, the Board is considering re-drawing district maps



## Zone Change Options & Alternatives

CBJ 49.75.130(a),

The Commission may recommend approval, approval with modifications or denial of a rezone request.

### Options

- Recommend approval as recommended by staff
- Deny rezone request
- Recommend different zoning districts than what is requested by the applicant or recommended by staff
- May determine the boundary of the area to be rezoned
  - This means that if the Commission wishes to do so, the zone 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



## Findings

After review of the application materials, the CBJ Land Use Code, and the CBJ 2013 Comprehensive Plan, the Director makes the following findings:

1. The request meets the submittal requirements and the rezoning initiation, zone change restrictions, and procedural requirements of the CBJ Land Use Code. The application was filed in July, is an expansion of an existing zoning district, is more than 2 acres, and is not similar to a request rejected in the past year.
2. Based on the preceding analysis, the proposal substantially conforms to the Land Use Maps and policies of the Comprehensive Plan.





## Recommendation

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Staff recommends the Planning Commission concur with the Director's analysis and findings and **RECOMMEND APPROVAL** to the Assembly for a rezone of the subject parcel from D-3 to D-5.



## Questions?

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