

Agenda

Planning Commission - Regular Meeting City and Borough of Juneau

February 22, 2022
Virtual Meeting Only
7:00 PM

This virtual meeting will be held by video and telephonic participation only. To join the webinar, paste this URL into your browser: <https://juneau.zoom.us/j/84594683197>. To participate telephonically, call: 1-346-248-7799 or 1-669-900-6833 or 1-253-215-8782 or 1-312-626-6799 or 1-929-436-2866 or 1-301-715-8592 and enter Webinar ID: 845 9468 3197.

I. ROLL CALL

II. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

- A. January 25, 2022 Draft Minutes, Regular Planning Commission -
APPROVED

IV. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

VI. ITEMS FOR RECONSIDERATION

- A. CSP2021 0007: Reconstruction of Harris Street starting at Harris and Fourth Street to the Gold and Seventh Street intersection - MOVED TO RECONSIDER AND MOTIONED TO OPEN AND CONTINUE THE PUBLIC HEARING TO THE MARCH 8, 2022 REGULAR PLANNING COMMISSION MEETING

VII. CONSENT AGENDA

VIII. UNFINISHED BUSINESS

IX. REGULAR AGENDA

- A. AME2018 0004: Revision to the Alternative Development Overlay District -
REFERRED BACK TO TITLE 49 SUBCOMMITTEE

X. OTHER BUSINESS

- A. New City Hall Update

XI. STAFF REPORTS

XII.COMMITTEE REPORTS

XIIILIAISON REPORT

**XIV.CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA
ITEMS**

XV. PLANNING COMMISSION COMMENTS AND QUESTIONS

XVIEXECUTIVE SESSION

XVIADJOURNMENT

**PLANNING COMMISSION AGENDA
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

January 25, 2022 Draft Minutes, Regular Planning Commission - APPROVED

ATTACHMENTS:

	Description	Upload Date	Type
▣	January 25, 2022 Draft Minutes, Regular Planning Commission	2/9/2022	Minutes

Minutes
Planning Commission
Regular Meeting
CITY AND BOROUGH OF JUNEAU
Michael LeVine, Chairman
January 25, 2022

I. **LAND ACKNOWLEDGEMENT** read by Chair LeVine

II. **ROLL CALL**

Michael LeVine, Chairman, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held virtually via Zoom Webinar and telephonically, to order at 7:03 P.M.

Commissioners present: All Commissioners present via video conferencing – Michael LeVine, Chairman; Nathaniel Dye, Vice Chairman; Paul Voelckers, Clerk; Travis Arndt, Deputy Clerk; Dan Hickok; Mandy Cole; Josh Winchell; Erik Pedersen

Commissioners absent: Ken Alper

Staff present: Jill Maclean, CDD Director; Irene Gallion, CDD Planner; Beth McKibben, CDD Planner; Sherri Layne, Law

Assembly members: Alicia Hughes-Skandijs

III. **REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA** – None

IV. **APPROVAL OF MINUTES** – None

V. **BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION** – Chair LeVine gave a brief description of the rules for public participation via Zoom format.

VI. **PUBLIC PARTICIPATION ON NON-AGENDA ITEMS** – None

VII. **ITEMS FOR RECONSIDERATION** – None

VIII. **CONSENT AGENDA** – None

IX. **UNFINISHED BUSINESS** – None

X. REGULAR AGENDA

AME2021 0003: Parking code revisions, which includes reorganization, establishing a “town center” parking standard, revised parking district boundaries, and allowing parking waivers downtown

Applicant: City & Borough of Juneau

Location: Borough-wide

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and make a recommendation to the Assembly to **APPROVE** the parking code revision, which includes reorganization, establishing a “town center” parking standard, revised parking district boundaries, and allowing parking waivers downtown. This recommendation includes staff proposals to (CHOOSE AS APPROPRIATE):

1. Move the “C Street line” to B Street.
2. Modify the No Parking Requirement Area boundary to encompass Manilla Square.
3. Include 310 Second Street, at the corner of North Franklin and Second Street, in the No Parking Requirement Area (or, document other boundary modifications).
4. Modify proposed code 49.40.220(a)(2) regarding Director and Commission review of items that may influence granting an off-street parking waiver: *Provision for alternative transportation or transit improvements approved by CBJ Capital Transit.*
5. Modify CBJ 62.10.050(e) to replace the PD2 restriction with a No Parking Requirement Area restriction, and the PD1 restriction with a Town Center Parking Area restriction.

STAFF PRESENTATION – By Planner Gallion**QUESTIONS FOR STAFF**

Vice Chair Dye noted the changes before them could affect Title 62 and asked to what extent the PC has authority to make changes to Title 62. Director Maclean answered the Commission does not have authority over Title 62 but they should be aware of how their decisions affect other sections of code. In the end, it would be up to the assembly to correct any conflicts between code sections. Mr. Dye asked whether it would be appropriate for the commission to inform the assembly that the PC did not evaluate the recommendation to modify Title 62. Ms. Maclean said that would be acceptable.

COMMISSIONER DISCUSSION – It was decided to consider questions proposed by Staff in the presentation and then go through the ordinance page by page.

Staff Proposal Questions:

- Move C Street Line of T CPA?
 - The PC agreed to move it to D Street
- NPRA encompass Manilla Square and 310 Second street?
 - Mr. Dye, Mr. Arndt and Mr. Voelckers said Manilla Square and 310 Second Street were intentionally left out during previous discussions and did not support adding them back.
 - Ms. Cole and Mr. Winchell felt that they should be included in the NPRA.
 - Ms. Maclean reminded the Commission that if any parking is required, even if it is waived, there will be a requirement for ADA parking.
- Modify Proposed Code regarding review of items that may influence granting waiver: Eliminate transit.
 - Mr. Voelckers felt the change makes sense and he is ok with removing the language.
 - Mr. Dye, Mr. Arndt, and Mr. LeVine disagreed. Mr. Dye said they are making the change for an unlikely scenario.
- Modify Vendor Regs to replace the PD2 with NPRA and/or PD1 with T CPA
 - The PC decided to make a recommendation that the assembly consider making conforming amendments to title 62.
- Corrected parking space table
 - It was decided to replace the table with the corrected version

PAGE 1

- Mr. Arndt suggested removing the “must be” from sentences and rewording them. For example, “Off-street parking must be provided” would change to “Provide off-street parking.” Ms. Maclean said it was important to keep the “must” and offered as compromise to remove “be” so it reads, “must provide” instead of “must be provided.”

Page 2 – No significant changesPage 3 –

- Mr. LeVine asked for explanation of the difference between the phrase “walking distance” and ‘distance’. Ms. Maclean explained walking distance refers to the path a pedestrian would be expected to take using legal means (crosswalks, sidewalks, not jaywalking).
- Mr. Arndt suggested removing the word “several” from line 8.
- Mr. LeVine suggested removing the word ‘physically’ from line 25.

Page 4 –

- Mr. Dye suggested rounding down when calculating required number of parking spaces as opposed to rounding to the next whole number. Mr. Winchell and Mr. Pedersen agreed. Mr.

Voelckers and Mr. LeVine both felt it should not be changed with Mr. Voelckers pointing out that they have already made reductions in the table.

Page 5 –

- Mr. Voelckers asked what the school district feedback was concerning proposed parking requirements for schools. Ms. Gallion said they had reached out to the district and received no feedback.
- Mr. Arndt pointed out ‘guest parking’ and ‘visitor parking’ seemed to be used interchangeably and suggested replacing ‘guest’ in the table with ‘visitor’ for consistency.
- Mr. Arndt suggested changing sobering center from x number of parking spaces plus 1 visitor space to the total number of parking spaces (1 parking space plus 1 visitor space becomes 2 parking spaces)

Page 6 –

- Mr. Arndt asked what would make a space a visitor space. Is it just any space in excess of required? Ms. Gallion said it would be a space that is designated as such with signage or some other designation. Ms. Layne added that while ADA literature speaks of spaces designated by signage, they also address whether a facility is open to the public. If a facility open to the public has a parking lot with spaces not designated visitor parking, it would be assumed that those are available visitor parking spaces.
- Mr. Dye suggested referencing the ADA code rather than including the table for 49.40.210(b) since it is based on the federal code. By this method, they would not need to make an ordinance change every time there is a change to the federal code. Ms. Gallion explained it is required to include the table specifically because the federal code could change and we might not be aware of it unless it was addressed in ordinance.
- Line 3 change “parking spaces and no visitor parking spaces” to read “parking spaces and **that have** no visitor parking spaces. Ms. Layne said Code reads if visitor spots are provided then ADA space requirements kick in. It is not based on what is required but what is provided. It was decided to defer this back to the Law department to ensure the final verbiage is appropriate.

Page 7

- Line 25 Mr. Dye felt the second to last sentence on this page could be removed.
- Line 25 Mr. LeVine suggested adding an explanation of parking alternatives as ways parking can be shared and then making the sentences about the written instrument a stand-alone section.

Page 8

- Line 21 Mr. LeVine suggested adding an explanation of parking reductions
- Line 19 Mr. Voelckers suggested removing ‘and’ as unnecessary from the end of **49.40.215(b)(2)**

Page 9

- Line 15 Mr. Voelckers felt they could remove **(B)** provision for alternative transportation

Pages 10 through 14 – No significant changes

Page 15

- Line 15 Mr. LeVine pointed out the reference to video rentals on line 15. It was decided to deal with this later at Title 49.

Page 16 – No significant changes

Page 17

- Line 6 - Mr. LeVine suggested moving “Outside of the Town Center Parking Area” to the beginning of (g)

AT EASE 8:32 P.M. – 8:38 P.M.

MOTION: *by Mr. Dye to accept staff's findings, analysis and recommendations and approve AME2021 0003 subject to agreed upon changes.*

Agreed upon changes:

1. *Change in boundary from C Street to D Street*
2. *Not taking a position on Title 62*
3. *Inclusion of the entire table*
4. *All other agreed upon edits agreed upon during the line-by-line review of the ordinance*

And

1. *Continue to exclude Manilla Square and the property at 310 Second Street*
2. *Leave the original language regarding Transit*
3. *For parking waivers, leaving the eligibility of providing capital transit, along with their concurrence*
4. *Page 4 Line 10 round down to the nearest whole number*
- 5.
6. *(Added on Amendment)*

MOTION to Amend: *by Mr. Voelckers to remove the option to round down in all cases and leave it to round to the nearest whole number*

Mr. Dye explained the reason for rounding down is to avoid encumbering a developer with additional requirements when the math says they need 0.7 spaces then they would be required to have one space and that would kick in required ADA spaces.

Mr. Voelckers, Mr. Arndt, and Mr. LeVine felt it should not be changed.

Roll call vote

YEA: Voelckers, Hickok, Arndt, LeVine

NO: Winchell, Pedersen, Cole, Dye

4 Yea 4 No – Motion to Amend Failed

MOTION to Amend: by Mr. Voelckers to change calculation text to 0.6 parking spaces per dwelling unit and delete the rest of the box and 0.4 in the town center column Line 24 on page 4/19 Senior Housing.

Mr. Arndt agreed with the reasoning for the Motion but the calculation seems to INCREASE the parking requirement in the town center and thought it should be decreased instead.

Mr. Voelckers rescinded his motion to amend

MOTION to Amend: by Mr. Voelckers to change calculation text to 0.6 parking spaces per dwelling unit and delete the rest of the box and 0.3 in the town center column Line 24 on page 4/19 Senior Housing

Mr. LeVine said he will be a NO vote on this saying he believes this will add confusion if there are requirements for visitor spaces.

Roll call vote

YEA: Voelckers, Cole, Arndt, Pedersen, Dye

NO: Hickok, Winchell, LeVine

5 Yea 3 No Motion to Amend Passed

MOTION to Amend: by Ms. Cole to include Manilla Square and 310 Second Street in the NPRA

Mr. Dye, Mr. Voelckers and Mr. Pedersen spoke against the motion.

Mr. Winchell spoke in support.

Roll call vote

YEA: Cole, Winchell

NO: Arndt, Pedersen Hickok, Voelckers Dye LeVine

2 Yea 6 No Motion Failed

MOTION to Amend: by Mr. Arndt to change the Sobering Center in the table striking the visitor space requirements and adding one space to the requirement for the town center column

Roll call vote

YEA: Arndt, Cole, Pedersen, Hickok, Winchell, Voelckers, Dye, LeVine

NO:

8 Yea 0 No Motion Passed

AMENDED MOTION: *by Mr. Dye to accept staff's findings, analysis and recommendations and approve AME2021 0003 subject to agreed upon changes.*

Agreed upon changes:

1. *Change in boundary from C Street to D Street*
2. *Not taking a position on Title 62*
3. *Inclusion of the entire table*
4. *All other agreed upon edits agreed upon during the line-by-line review of the ordinance*

And

1. *Continue to exclude Manilla Square and the property at 310 Second Street*
2. *Leave the original language regarding Transit*
3. *For parking waivers, leaving the eligibility of providing capital transit, along with their concurrence*
4. *Page 4 Line 10 round down to the nearest whole number*
5. *Change calculation text to 0.6 parking spaces per dwelling unit and delete the rest of the box and 0.4 in the town center column Line 24 on page 4/19 Senior Housing*
6. *Change the Sobering Center in the table striking the visitor space requirements and adding one space to the requirement for the town center column)*

The amended motion passed with no objection.

AME2022 0001: Amendment to the CBJ Land Use Code Title 49 to make pre-application conferences optional and not mandatory
Applicant: City & Borough of Juneau
Location: Borough-wide

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and make a recommendation to the Assembly to APPROVE the proposed text amendment allowing pre-application conferences to be optional and not mandatory, recognizing that the pre-application conferences are an opportunity to make developers aware of challenges and opportunities within code, provide developers information on application submittal requirements, and if a developer opts out, the application review period may be extended if applications are incomplete. Furthermore, it is recommended that a pre-application conference remain mandatory for the following processes:

- **49.60.130, Procedure – Bonus Procedures;**

- **49.65.907**, Special Use Permit Applications, Wireless Communications;
- **49.70.130**, Concept Review, New Growth Areas.

STAFF PRESENTATION – by Planner McKibben

QUESTIONS FOR STAFF

Mr. Voelckers asked for clarification of what would qualify under **49.65.907** Special Use Permit Applications, Wireless Communications. Ms. McKibben said this is cell phone towers.

Mr. Winchell asked for a definition for “new growth.” Mr. Dye said it is in the Comprehensive plan and it is complex. Mr. Voelckers added this is a once in a decade or every other decade occurrence and they can be very complex. Vintage Park and the area of Douglas where a second crossing is being considered are two examples of recent new growth areas.

Mr. Pedersen asked if CDD staff or if the Housing and Economic Development Task Force. Director Maclean answered the ordinance was drafted by the Law department but the recommendation was proposed by the Task Force.

Mr. Arndt suggested making the amended paragraphs uniform by using “shall” and “may” consistently in the preapplication paragraphs at **49.15.310(c)**, **49.15.321(b)**, **49.15.330(b)**, **49.15.404(b)**, and on through where there are sections on *pre-application conference*. Ms. Maclean said she did not think this had been done intentionally. Mr. Voelckers said he felt this would be considered a minor edit if they were to choose one phraseology and make it consistent throughout. It was decided this is a minor change and staff could take care of this change.

Mr. Pedersen asked if the statement at **49.15.402(b)** *“No statement made by either party shall be regarded as binding, and the result of the conference shall not constitute approval by the department,”* was in response to any particular situation. Ms. Maclean explained this is a department policy because the preapplication conference occurs before an applicant submits a completed application and there are often changes between this conference and the submission of the final application. It is stated in the preapplication conference report provided to applicants following the meetings. Mr. Pedersen felt applicants should be able to rely on what is said at the preapplication conference.

Ms. Maclean added for the record that she has concerns with this ordinance. She said the preapplication process is a public service the CDD provides for the community and it is a very useful process. During the conferences, CDD planners, permit techs, building inspectors, Public Works general engineering personnel, the fire marshal and other CBJ personnel can be in attendance. The meeting is an opportunity for applicants to come in with a concept even if they do not yet have a complete application that can be reviewed and analyzed. Therefore, the meeting is not binding.

Mr. Dye asked if staff would be more comfortable with removing the requirement for a preapplication conference if it was set in Code what constitutes a complete application. Ms. Maclean said she felt the strength of the preapplication conference was that participants include staff from CDD, Engineering, and other departments together to work with the applicant.

Mr. LeVine suggested changing the phrasing of the recurrent sentence “A development application is not required to have a pre-application conference,” to read, “A pre-application conference is not necessary for processing of a development application” or something similar. He did not want to change the meaning but just wanted to make it clear. Mr. Arndt had interpreted the phrase to mean an applicant would not be required to do a development application in order to participate in a pre-application conference. Ms. Maclean clarified Mr. Arndt’s interpretation is the correct one; an applicant can participate in the conference with just a narrative or concept. They do not need a completed application at the conference. Mr. LeVine asked that it be clarified but this does not amount to a substantive change so he was comfortable moving forward to a motion.

MOTION: *by Mr. Voelckers to accept staff’s findings, analysis and recommendations and approve AME2022 0001 subject to the minor changes agreed to by the commission.*

Mr. Voelckers spoke to his motion saying developers prefer these be optional as the conferences take time from the developers’ schedules and they often are already aware of the process and requirements. This ordinance is a result of the committee listening to the needs of the developers.

Mr. Pedersen spoke against the motion for the reasons stated by Director Maclean.

MOTION to Amend: *by Mr. Pedersen to strike any language in the proposed changes which indicates that information discussed is nonbinding in the preapplication.*

Mr. Dye felt the CBJ is already exempt from binding language and could not be held to this. Mr. LeVine said that the amendment is simply removing the language that it is not binding but it does not add any language making it binding.

Mr. Voelckers spoke against the amendment saying he felt it should be made clear that this process is not binding.

Ms. Cole spoke saying she understands why he is making the amendment but she cannot support it. Mr. LeVine also spoke against the amendment saying he would be more sympathetic to it being binding if it were mandatory but not if it is optional.

Roll Call Vote

YEA: Pedersen

NO: Arndt, Cole, Hickok, Winchell, Voelckers, Dye, LeVine

1 Yea 7 No Motion to Amend Failed

Mr. Arndt spoke to say he appreciates the preapplication process and encourages people to take advantage of the opportunity. However, if it was optional, that is fine with him.

Mr. Dye said he agrees with the importance and value of the process and he agrees with the staff concerns that people who do not do this normally will be left behind if they skip the preapplication meetings. He will not support the motion. Mr. Pedersen also spoke against it. Mr. Winchell spoke against the motion saying he had the same reservations expressed by Mr. Dye and Mr. Pedersen.

Mr. LeVine spoke in support of the motion saying he would encourage developers to use the process but not require it.

Roll Call Vote

YEA: Voelckers, Cole, Arndt, LeVine

NO: Winchell, Hickok, Pedersen, Dye

4 Yea 4 No Motion Failed

MOTION: by Mr. Pedersen to refer this item back to Title 49

Roll Call Vote

YEA: Pederson, Cole, Arndt, Winchell, Voelckers, Dye, Hickok, LeVine

NO:

8 Yea 0 No Motion passed

AT EASE 9:56 P.M. – 10:05 P.M.

AME2022 0002: Revision to 49.65 Article XI Marijuana Establishments to remove the requirement for a five-year review for Conditional Use Permits issued to marijuana establishments

Applicant: City & Borough of Juneau

Location: Borough-wide

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and make a recommendation to the Assembly to APPROVE the proposed text amendment to 49.65 Article XI Marijuana Establishments to remove the requirement for a five-year review for Conditional Use Permits issued to marijuana establishments.

Conditional use permits issued to marijuana establishments under this chapter shall expire upon six-months if the owner takes action consistent with an intent to abandon the conditional use permit or the conditional use permit holder has ceases operations and not substantially resumed. Determination of expiration shall be made by the Director and supported by written findings. An expiration determination may be reconsidered within 20 days of the date of

determination. No appeal of an expiration determination may be made unless reconsideration is first sought. [Added on amendment]

Add the applicable verbiage from 49.30.225 Reconsideration of Abandonment Declaration and to edit that verbiage to make it consistent with marijuana businesses. [Added on amendment]

STAFF PRESENTATION – by Planner McKibben

QUESTIONS FOR STAFF

Mr. Arndt asked how it would work if a marijuana business was changing ownership. It is his memory that obtaining a valid license is a condition of permitting. If the license is not transferable, then the only way he sees for the conditional use permit to remain valid would be for both the outgoing and incoming owners to be licensed at the same location at the same time. If the former owner drops their license at the time of sale and the new owner has to wait for the sale to obtain theirs, then there is a window of time where the location is unlicensed and that would invalidate the conditional use permit. Ms. Maclean explained the CUP process is to obtain the CUP first, then pursue the State license, followed by the CBJ license. Mr. Hickok asked if the assembly has to approve the transfer of marijuana businesses. Ms. McKibben explained there is a separate Borough license that is obtained after the State license is issued and she did not think that required assembly approval.

MOTION: *by Mr. Dye to accept staff's findings, analysis and recommendations and approve AME2022 0002 with a change to replace section C with new language as follows:*

Conditional use permits issued to marijuana establishments under this chapter are nontransferable and shall expire upon six-months if the owner takes action consistent with an intent to abandon the conditional use permit or the conditional use permit holder has ceases operations and not substantially resumed. Determination of expiration shall be made by the Director and supported by written findings. An expiration determination may be reconsidered within 20 days of the date of determination. No appeal of an expiration determination may be made unless reconsideration is first sought.

Mr. Dye spoke to his motion explaining his proposed changes address Staff's concerns regarding possible unintended consequences.

Mr. Arndt asked why we would be making the permits nontransferable if the State has made the licenses themselves transferable. Mr. Dye explained the conditional use permits issued for marijuana establishments are very focused on aspects of operation that it is important to be certain the new owners are aware of all of the requirements. Because of that, a new conditional use permit hearing at the time of transfer is justified.

Mr. Hickok asked why the PC is discussing selling, renewing and transferring licenses when the subject of the ordinance is the 5-year review. Mr. Dye's thinking is that the result of his motion will be that the removal of the 5-year review.

Mr. Arndt asked if, under this motion, the conditional use permit to a new owner would be an entirely new permit or would it be more of a renewal of the current permit. Mr. Dye thought it would be a new permit but expected it would be relatively smooth process and likely a consent agenda item.

Mr. Winchell spoke to support the motion.

MOTION to Amend: by Mr. Arndt to excise "are nontransferable, and" from the original motion

Mr. Arndt spoke to his motion saying if the business is following the rules regarding security, operations, disposal and the like, then it should not matter who owns it so long as the rules continue to be followed. He felt it should be transferable as long as they comply with the permit.

Roll Call Vote

YEA: Arndt, Cole, Pedersen, Voelckers

NO: Hickok, Winchell, Dye, Levine

4 Yes 4 No Motion to Amend Failed

Chair LeVine asked for the reason for the clause 'unless reconsideration is first sought'. Mr. Dye said it came directly from the nonconforming code section. Mr. LeVine asked staff to explain reconsideration. Ms. Maclean said this gives applicants 20 days to bring in new information or take actions to bring themselves into compliance. Reconsideration is a method for avoiding appeals.

Mr. Winchell spoke in support of the reconsideration clause for the purpose of exhaustion of remedies.

MOTION to Amend: by Mr. Arndt to add a cross-reference to the applicable verbiage from **49.30.225 Reconsideration of Abandonment Declaration**.

Mr. Winchell wanted to be sure they were also adding language that an appeal cannot be pursued until after reconsideration.

Ms. Maclean said rather than cross reference, they should add the verbiage to the section and make it applicable with Marijuana businesses.

Mr. Arndt rescinded his motion to amend.

MOTION to Amend: by Mr. Arndt to copy the applicable verbiage from **49.30.225 Reconsideration of Abandonment Declaration** and to edit that verbiage to make it consistent with marijuana businesses.

The motion to amend passed with no objection.

Ms. Cole asked why, if there was no public comment and staff had proposed the original recommendation, the PC would go so far to change it.

Roll Call Vote

YEA: Dye, Winchell, LeVine

NO: Hickok, Pedersen, Cole, Arndt, Voelckers

3 Yea 5 No Amended Motion Fails

MOTION: *by Ms. Cole to accept staff's findings, analysis and recommendations and approve AME2022 0002*

Mr. Dye spoke against the motion saying they have already seen a license abandoned and would like to see something in that.

MOTION to Amend: *by Mr. Arndt to add back the information regarding abandonment and reconsideration*

Mr. Hickok asked if they are discussing abandonment of the CUP or the license. Mr. LeVine said the CUP runs with the land. If you lose your license, the CUP is still in effect when you get the license back. The amendment would allow the CUP to expire upon abandonment.

Mr. LeVine spoke in support of the amendment

Roll Call Vote on Motion to Amend

YEA: Arndt, Cole, Pedersen, Hickok, Winchell, Voelckers, Dye, LeVine

NO:

8 Yea 0 No Motion to Amend passes

Roll Call Vote on Amended Motion

YEA: Cole, Arndt, Hickok, Winchell, Pedersen, Voelckers, Dye, LeVine

NO:

8 Yea 0 No Amended Motion passes

XI. OTHER BUSINESS – None

XII. STAFF REPORTS

Ms. Maclean announced CDD is fully staffed. Scott Ciambor is the new Planning Manager and the other vacancies have been hired. Now they will be training but will be up to speed soon.

XIII. COMMITTEE REPORTS

Mr. Voelckers reported the Mayors Task Force met last week and are focusing on the Table of Dimensional Standards

XIV. LIAISON REPORTS

Assembly member Skandijs reported the Assembly COW has chosen to exempt the PC from looking at the long-range waterfront plan amendment. This prevents the PC from having a conflict in the case it comes to PC for permitting.

XV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS – None

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

Mr. LeVine announced Committee and Liaison assignments
Title 49 – Arndt, Chair; Cole; Dye; Hickok; Pedersen; Winchell
Governance – Hickok, Chair; Alper; Voelckers

Liaisons:

Lands – Cole

PWFC – Pedersen

JCOS – Voelckers

Wetlands – Alper, Winchell

Blueprint Downtown – Dye

Douglas – Pedersen

XVII. EXECUTIVE SESSION – None

XVIII. ADJOURNMENT – 10:58 P.M.

**PLANNING COMMISSION AGENDA
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

CSP2021 0007: Reconstruction of Harris Street starting at Harris and Fourth Street to the Gold and Seventh Street intersection - MOVED TO RECONSIDER AND MOTIONED TO OPEN AND CONTINUE THE PUBLIC HEARING TO THE MARCH 8, 2022 REGULAR PLANNING COMMISSION MEETING

PLANNING COMMISSION AGENDA **THE CITY AND BOROUGH OF JUNEAU, ALASKA**

AME2018 0004: Revision to the Alternative Development Overlay District - REFERRED BACK TO
 TITLE 49 SUBCOMMITTEE

AGENDA ITEM:

Case No.: AME2018 0004

Applicant: City & Borough of Juneau

Location: Downtown Juneau

Proposal: Revision to the Alternative Development Overlay District

RECOMMENDATION:

Staff recommends the Planning Commission provide feedback on the following issues:

- How would the Commission like to proceed on lot size:
 - Eliminate lot size requirement for the ADOD, and require that subdivision meet the lot size requirements of underlying code.
 - Continue with reduced lot size.
 - Any modifications to the current proposal?
- How would the Commission like to proceed on the issue of sight distances:
 - Traffic Engineer review?
 - Proposal developed at this meeting?
 - Other?
 - Should staff investigate the possibility of damage waivers for road reconstruction and/or other maintenance, such as snow removal?
- How would the Commission like to proceed regarding modifications to setback exemptions, in existing code and in the proposed ADOD code:
 - Simplify the exemption for parking decks, and provide a definition.
 - Simplify and clarify restrictions on sight-obscuring trees, and provide a definition.

ATTACHMENTS:

Description	Upload Date	Type
☐ Staff Report for AME2018 0004	2/15/2022	Staff Report
☐ Presentation for AME2018 0004	2/22/2022	Presentation



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

DATE: February 15, 2022
TO: Michael LeVine, Chair, Planning Commission
BY: Irene Gallion, Senior Planner 
THROUGH: Jill Maclean, Director, AICP

PROPOSAL: The proposed ordinance would revise the Alternative Development Overlay District.

STAFF RECOMMENDATION: Provide feedback to staff on:

- Lot size.
- Setbacks and sight distances.
- Exemptions.

KEY CONSIDERATIONS FOR REVIEW:

- Lot size and subdivision – after Department of Law review, staff proposes eliminating lot size from Alternative Development Overlay District standards.
- Setbacks for corner lots – CBJ’s Engineering and Public Works Department have expressed concerns with the setbacks proposed. Additionally, under the current proposal a structure has less restrictive setbacks than vegetation.
- Exception categories:
 - Defining a “parking deck” and revising code to accommodate the new definition.
 - Defining “sight-obscuring trees” to simplify code.

ALTERNATIVE ACTIONS:

1. **Amend:** modify the proposed ordinance and recommend approval to the Assembly.
2. **Deny:** recommend denial of the proposed ordinance to the Assembly. 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 text amendment. The Commission’s recommendation will be forwarded to the assembly for final action.

STANDARD OF REVIEW:

- Quasi-legislative decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 49.10.170(d)
 - 49.25.430(I) and (L)
 - 49.70. Article XII (replace)
 - 49.80 definitions
 - 49.85.100(10)(C) - delete

The Commission shall hear and decide the case per 49.10.170(d) Planning Commission Duties. The commission shall make recommendations to the assembly on all proposed amendments to this title, zonings and rezoning, indicating compliance with the provisions of this title and the comprehensive plan.

GENERAL INFORMATION	
Applicant	City and Borough of Juneau (CBJ)
Initiated By	CBJ (expiration in code)
Property Affected	Downtown Juneau

LAND USE CODE AMENDED	
49.70.1200	Revision to standards for Downtown Juneau, removal of Downtown Douglas.
DEFINITIONS	Parking Deck Sight-Obscuring Trees
OTHER CODE IMPACTED	CBJ 49.25.430(4)(I), Parking Deck CBJ 49.25.430(4)(L), Fences and Vegetation

WORK SESSION DATES	
Title 49 Committee	August 7, 2019; September 4, 2019; October 2, 2019; November 1, 2019
Committee of the Whole	June 9, 2020
Public Meeting	February 2019, December 2019
Regular Planning Commission Meeting	July 27, 2021

DISCUSSION

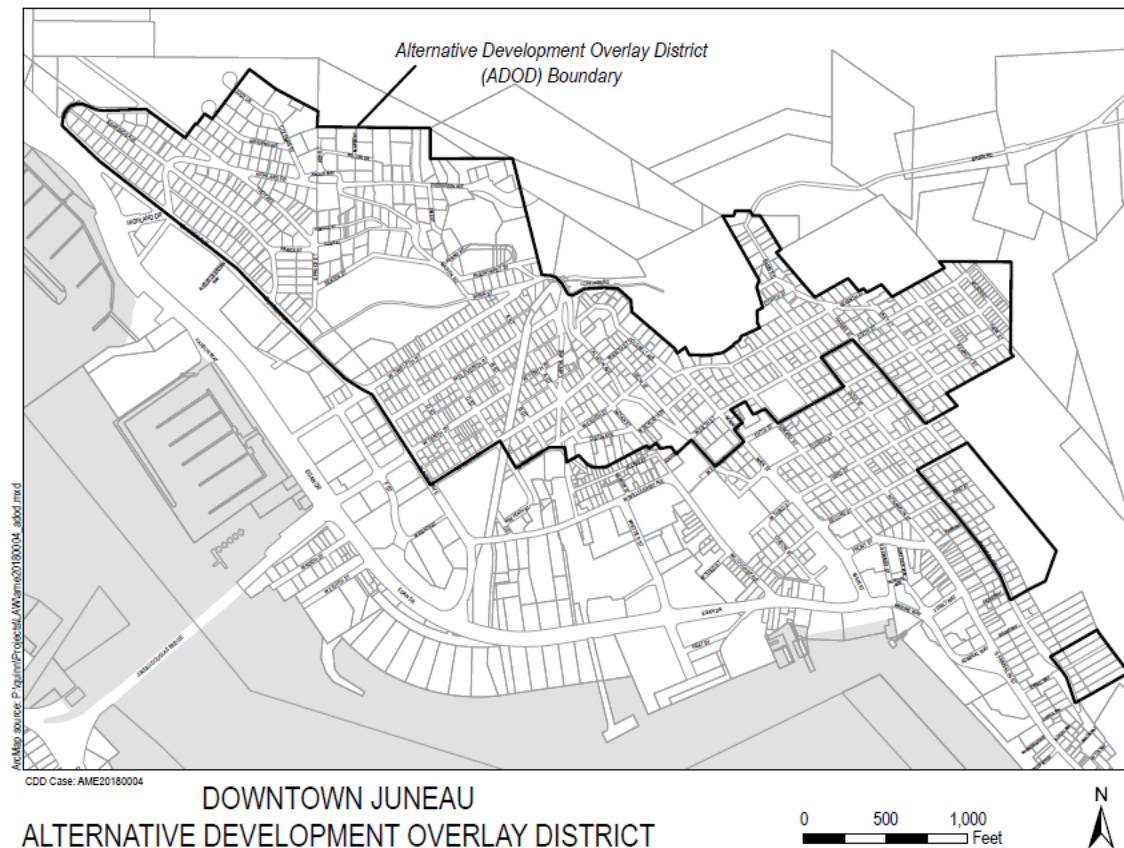
This staff report summarizes the Alternative Development Overlay District (ADOD) standards proposed through iterative development, and asks for clarification on:

- Lot size and subdivision.
- Setbacks, in light of feedback from Engineering and Public Works Department (E&PW).
- Set back exemptions including:
 - Parking decks.
 - Trees in sight lines.

The latest version of the ordinance, with “track changes” and notes on proposed changes, is in **Attachment A**. A “clean” version is in **Attachment B**.

Background – Since the Commission last saw this ordinance, it has been reviewed by the CBJ Law Department and E&PW. Both reviews generated proposed changes.

Property Affected – The ADOD ordinance includes a map of the impacted area.



Section Amended – Standards established in the proposed ordinance include [Draft 49.70.1430]:

- Minimum lot width of 25 feet [section (b)].
- Minimum vegetative cover of 15 percent [section (c)]. Note that considered revisions to the definition of vegetative cover would include drainage and inundation features such as permeable pavement.
- Structure height of 35 feet for primary uses and 25 feet for accessory uses, the same as current D5 standards [section (d)].
- Setback sum of 20 feet, with the minimum setback of three feet from each lot line [section (e)].

Lot Size and Subdivision – CBJ staff requests the Planning Commission consider revising their approach on lot size and subdivision. Staff proposes no minimum lot size. Any lot participating in any element of the ADOD will be unable to subdivide. Subdivision must meet the lot size of the underlying zoning, and cannot participate in ADOD standards reductions.

At their last meeting, the Commission had proposed no minimum lot size under ADOD, but that subdivisions after January 2022 meet lot size requirements. Creating special standards for subdivision in the ADOD could be considered arbitrary and not satisfy “rational basis.” Rational basis is a legal concept that disallows drawing distinctions between persons in a way that may violate the equal protection clause.

Setbacks – As proposed, structures could have less restrictive setbacks than fences and vegetation, depending on the distance of the travelled way from the lot line. For corner lots, this could permit structures close to intersections, impacting sight distances.

Juneau's E&PW expressed two concerns with the reduced setbacks:

- Intersection sight distances are reduced below those outlined by the American Association of State Highway and Transportation Officials (AASHTO).
- Street maintenance could impact, or be impacted by, structures close to the right-of-way.

Sight Distances at Intersections:

Engineering recommends the Planning Commission consider a Traffic Engineer review of how setbacks impact sight distances. There is no uniform answer, as right-of-way width and travelled lane width vary. The analysis provided here lacks nuanced strategies that a Traffic Engineer might be able to provide.

The speed limit in a residential district is 25 miles per hour [CBJ 72.02.275(b)(3)]. This is in keeping with the statewide code [13 AAC 02.275].

The images below assume a 90 degree intersection with two 12-foot lanes, with the driver set back from the intersection 17.8 feet (per AASHTO).

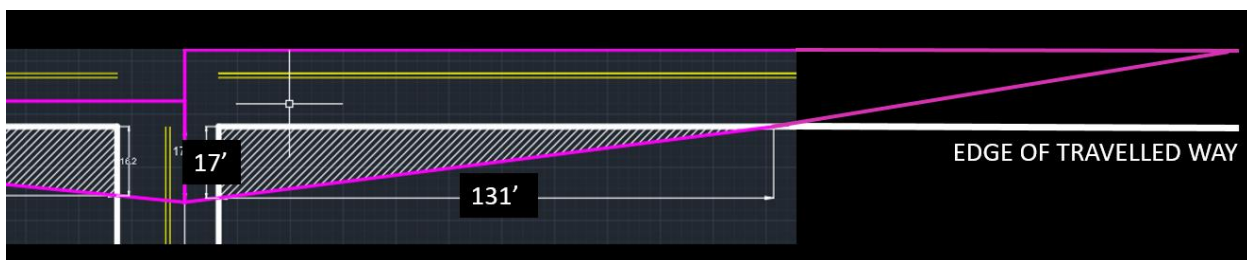
References to AASHTO below are from "A Policy on Geometric Design of Highways and Streets," 2018, 7th Edition.

Left Turn:

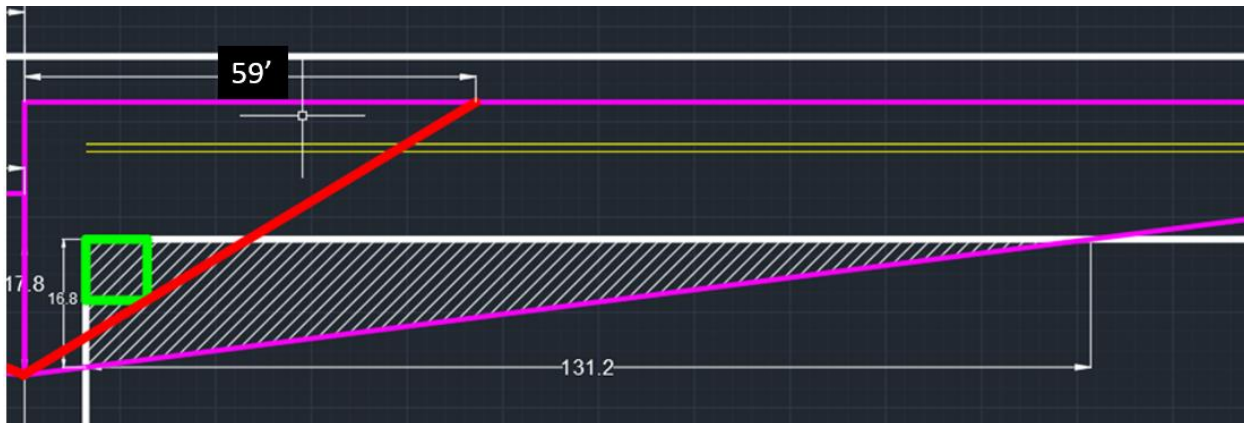
AASHTO recommends sight distance of 280 feet for a vehicle making a left turn (Table 9-7). To maintain this sight distance, a 17-foot setback is required from the intersection. This setback decreases down the length of the road for 131 feet.

In the image below, the:

- White line represents the edge of the travelled way.
- Magenta line represents the sight triangle for the driver.
- Yellow double line represents the middle of the travelled way.

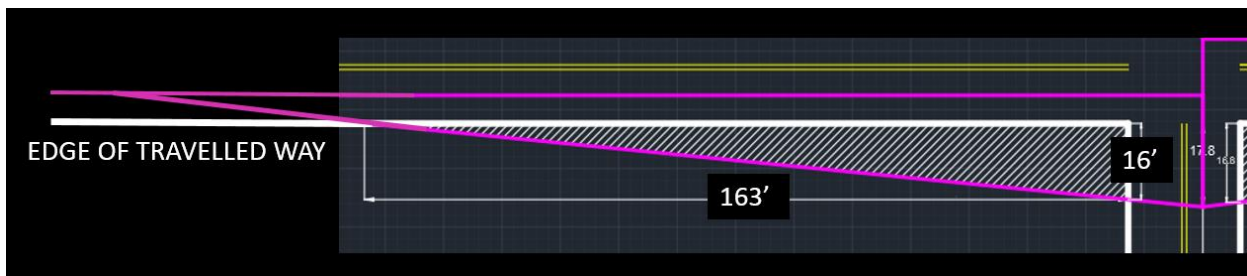


Assuming a five-foot sidewalk, a three-foot structure setback would place the structure eight feet from the intersection. In the image below, the green box represents a setback of eight feet. Sight distance (represented by the red line) is reduced to 59 feet.

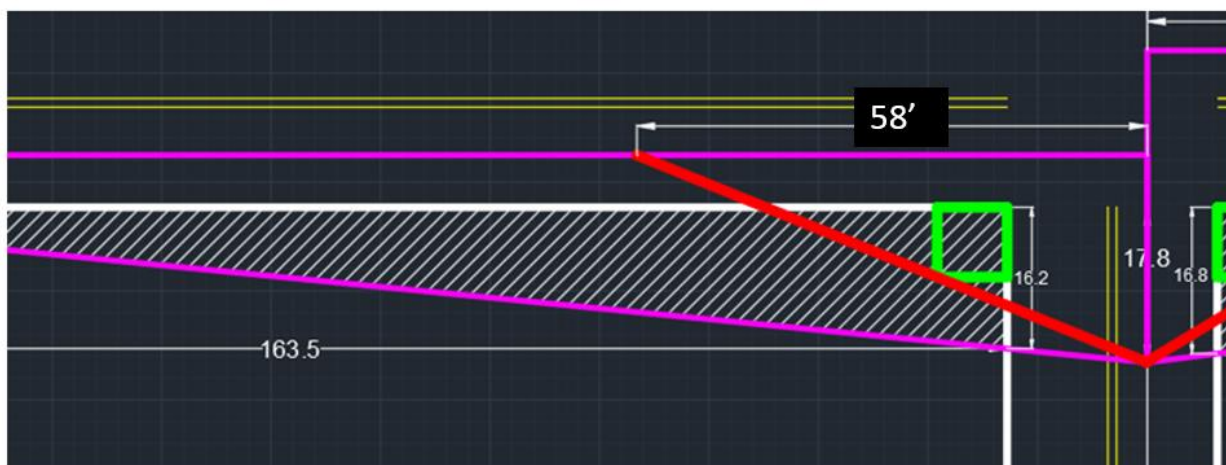


Right Turn:

AASHTO recommends a sight distance of 240 feet for a right turn (Table 9-9). To maintain this sight distance, a 16-foot setback is required from the intersection. This setback decreases down the length of the road for 163 feet.



With the eight-foot setbacks discussed above, the sight distances are reduced to 58 feet.



Other considerations for sight distances:

Reducing the speed to 15 miles per hour:

- Does not reduce sight distances enough, requiring 170 feet for a left turn and 145 feet for a right turn.
- Would require posting signs where applicable to meet sight distances.
- Would not be consistent with state code.

The Commission may consider eliminating on-street parking spaces a certain distance from intersections.

In the future, the Commission may be required to approve a roadway construction standards waiver for roads within the ADOD area that cannot meet AASHTO standards.

Street Maintenance:

The Streets Superintendent expressed concerns with the proximity of structures to the right-of-way, especially during road construction projects where large equipment may be constrained. E&PW suggested a damage waiver for owners participating in the ADOD. This has not been discussed with CBJ Risk Management at this time.

Exception categories – The exceptions outlined in proposed code already exist, and are restated to clarify that they apply to the ADOD. This ordinance may be an opportunity to clarify language associated with parking decks and trees.

Parking decks:

Exception language in current code states [CBJ 49.25.430(I)]:

Parking decks. A parking deck, no part of which exceeds one foot above the level of the adjoining roadway, and which does not include other uses, is exempt from the setback requirements of this chapter; provided a non-sight-obscuring safety rail not more than 42 inches in height is allowed.

The current code includes the definition of a parking deck in the regulation rather than in the “Definitions” section of code [CBJ 49.80]. With the new ADOD, this parking deck exemption will occur in two places – CBJ 49.25.430(4)(I) (exemptions to setbacks), and the proposed ADOD code .

Staff proposes revised exception language:

A parking deck as defined in 49.80 is exempt from the setback requirements of this chapter.

Staff proposes defining “parking deck.”

Parking deck is an unenclosed structure on which motor vehicles may be parked. The access to the deck must be at street grade. The deck may have a non-sight-obscuring safety rail not more than 42 inches in height.

Trees proximate to traveled ways:

Current language states:

Trees are allowed within 20 feet of the edge of the travel way provided they do not obscure view from a height of four feet to a height of eight feet above ground.

For a corner lot, height is limited to three feet. Staff is proposing to simplify the language:

Within 20 feet of the edge of the travelled way, sight-obscuring fences and vegetation are limited to four feet. Sight-obstructing trees are not allowed.

CBJ 49.80 includes a definition of “fence, sight-obscuring.” Staff proposes the addition of a definition for sight-obscuring trees:

Sight-obscuring trees have branches or vegetation between the height limit of the regulated area and eight feet, or have a diameter over 14 inches.

If the Commission finds this approach is an improvement, they may want to consider updating the non-ADOD code 49.25.430(4)(L).

COMPLIANCE WITH TITLE 49

49.05.100 - Purpose and intent. The purpose and Intent of Title 49 Land Use Code is:

(1) To achieve the goals and objectives, and implement the policies, of the Juneau comprehensive plan, and coastal management program;

(2) To ensure that future growth and development in the City and Borough is in accord with the values of its residents;

(3) To identify and secure, for present and future residents, the beneficial impacts of growth while minimizing the negative impacts;

(4) To ensure that future growth is of the appropriate type, design and location, and is served by a proper range of public services and facilities such as water, sewage, and electrical distribution systems, transportation, schools, parks and other public requirements, and in general to promote public health, safety and general welfare;

(5) To provide adequate open space for light and air; and

(6) To recognize the economic value of land and encourage its proper and beneficial use.

Title 49 – The proposed text amendment complies with CBJ Title 49 Land Use Code.

If the proposed ADOD code is adopted, code that may require updates include:

Code Reference	Item	Summary
CBJ 49.80	Definitions	Add definition: <i>Parking deck is an unenclosed structure on which motor vehicles may be parked. The access to the deck must be at street grade. The deck may have a non-sight-obscuring safety rail not more than 42 inches in height.</i>
CBJ 49.25.430(1)	Exceptions: Parking Decks	If the definition of “parking decks” is adopted, replace the current code with: <i>A parking deck as defined in 49.80 is exempt from the setback requirements of this chapter.</i>

CBJ 49.80	Definitions	Add definition: <i>Sight-obscuring trees have branches or vegetation between the height limit of the regulated area and eight feet, or have a diameter over 14 inches.</i>
49.25.430(4)(L)	Fences and Vegetation	If the definition of “sight-obscuring trees” is adopted, replace current code with: A) <i>Within 20 feet of the edge of the travelled way, sight-obscuring fences and vegetation are limited to four feet. Sight-obstructing trees are not allowed (See figure XX).</i> B) <i>Within 20 feet of a street intersection, sight-obscuring fences and vegetation are limited to three feet. Sight-obscuring trees are not allowed (See figure, XX). The area in which sight-obscuring fences and vegetation is restricted shall be determined by extending the edge of the travel ways to a point of intersection, then measuring back 20 feet, then connecting the three points.</i>

COMPLIANCE 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
5	45	5.2-IA4	Encourage downtown accommodations for legislators.
5	48	Downtown	Preserve historic structures and neighborhoods with designs that protect height, scale, and orientation, while creating housing downtown.
5	49	5.5-DG1	<i>“When reviewing applications for new downtown Juneau development, consider the visual impacts on downtown building form, urban design and view corridors, as well as impacts to the livability of downtown with regard to circulation, housing accommodations, air quality, noise and hazard abatement and provision of goods and services, to ensure downtown provides a clean, safe, attractive, dynamic, interesting, enjoyable, walkable, culturally diverse and affordable neighborhood within which to live, work and play.”</i>
10	184	Subarea 6, Guideline 1	Preserve the scale and densities of the older single-family neighborhoods in the downtown area, including the Casey-Shattuck “flats” and Star Hill historic districts, Chicken Ridge, Basin Road, Mt. Maria, the Highlands, and the higher density apartments and homes in the vicinity of the Federal Building.
10	184	Subarea 6, Guideline 2	<i>“Encourage the retention of existing dwelling units in or near the older residential neighborhoods to avoid exacerbating traffic and parking congestion and to preserve the privacy and quiet of those neighborhoods.”</i>

2016 HOUSING ACTION PLAN – The proposed text amendment complies with the 2016 Housing Action Plan.			
Chapter	Page No.	Item	Summary
9	49	Downtown Strategy	Infill and redevelopment are important.
9	50	Implementation	Create a development district with incentives for development.

AGENCY REVIEW

Agency Review has been ongoing during this project. Input from CBJ’s Law Department and E&PW is discussed in detail above.

PUBLIC COMMENTS

The table below lists the opportunities for public interaction.

Informational and neighborhood meetings included abutters notices in addition to the newspaper advertising and press releases associated with the Title 49 Committee and Planning Commission. Materials and minutes from these meetings can be found at: <https://juneau.org/community-development/short-term-projects>

Date	Meeting
6/12/2017	ASSM Committee of the Whole – Ordinance for ADOD forwarded to full Assembly
1/30/2019	Downtown Informational Meeting
2/5/2019	Downtown Informational Meeting
2/7/2019	Downtown Informational Meeting
4/11/2019	Title 49: ADOD proposal
4/18/2019	Title 49: ADOD proposal, additional info
6/24/2019	Assembly, ADOD ordinance introduced, extending date to August 2020
7/10/2019	Title 49: Modify setbacks, new boundary, min lot size, sliding setbacks
8/7/2019	Title 49: Continued discussion
9/4/2019	Title 49: Continued discussion
10/2/2019	Title 49: Continued discussion
11/1/2019	Title 49: Summary and continued discussion
12/5/2019	Neighborhood Meeting
12/7/2019	Neighborhood Meeting
12/12/2019	Title 49: Debrief on public meeting
3/5/2020	Title 49: Comments and proposed ordinance
6/9/2020	Planning Commission Committee of the Whole
7/27/2021	Planning Commission: Revive ADOD

CDD conducted a public comment period for this meeting between January 27, 2022 and February 1, 2022 (**Attachment C**). Public notice was mailed to property owners within 500 feet of the proposed amendment. Public comments submitted at time of writing this staff report can be found in **Attachment D**.

Name	Summary
Judy Crondahl	Requesting information – post card not readable.
Ellen Carrlee	Concerns with public outreach methods.
Greg Chaney	Support. Concerned if buildings could be built within five feet of intersections.
Jon Tillinghast	Opposition to proposed 3,000 square foot lot size.

FINDINGS

Staff is not recommending an action that would result in a Notice of Decision. Findings have not been provided at this time due to modifications that may be pending.

RECOMMENDATION

Staff recommends the Planning Commission provide feedback on the following issues:

- How would the Commission like to proceed on lot size:
 - Eliminate lot size requirement for the ADOD, and require that subdivision meet the lot size requirements of underlying code.
 - Continue with reduced lot size.
 - Any modifications to the current proposal?
- How would the Commission like to proceed on the issue of sight distances:
 - Traffic Engineer review?
 - Proposal developed at this meeting?
 - Other?
 - Should staff investigate the possibility of damage waivers for road reconstruction and/or other maintenance, such as snow removal?
- How would the Commission like to proceed regarding modifications to setback exemptions, in existing code and in the proposed ADOD code:
 - Simplify the exemption for parking decks, and provide a definition.
 - Simplify and clarify restrictions on sight-obscuring trees, and provide a definition.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Proposed Ordinance – Track Changes.
Attachment B	Proposed Ordinance – Changes Incorporated.
Attachment C	Abutters Notice
Attachment D	Public Comments

Presented by: The Manager
Presented:
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-36

An Ordinance Amending the Land Use Code Relating to the Downtown Juneau Alternative Development Overlay District.

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 of Section. CBJC 49.70.1210 is repealed.

~~49.70.1210 Overlay districts.~~

(a) ~~Downtown Juneau overlay district.~~ This article applies to property within the alternative development overlay district for Downtown Juneau as shown on the map dated May 25, 2017.

~~The Downtown Juneau overlay district shall cease to exist and the provisions of this article shall not apply to property within the Downtown Juneau overlay district after August 1, 2022.~~

(b) ~~Downtown Douglas overlay district.~~ This article applies to property within the alternative development overlay district for Downtown Douglas as shown on the map dated May 25, 2017.

~~The Downtown Douglas overlay district shall cease to exist and the provisions of this article shall not apply to property within the Downtown Douglas overlay district after December 31, 2021.~~

Section 3. Amendment of Chapter. Chapter 70 is amended by adding a new Article XIV to read:

ARTICLE XIV.

DOWNTOWN JUNEAU ALTERNATIVE DEVELOPMENT OVERLAY DISTRICT

49.70.1400 Purpose.

The purpose of this chapter is to establish optional alternative dimensional standards that are consistent with the built environment in established neighborhoods, reduce the number of nonconforming situations, and support public health, safety and welfare.

49.70.1410 Applicability.

(a) This ordinance applies to property within the Downtown Juneau Alternative Development Overlay District (ADOD) boundary as shown on the map dated August 30, 2019.

(b) Participation in the Downtown Juneau ADOD to facilitate conforming development is optional.

(c) This section specifically modifies certain dimensional standards. Unless noted in this section, all remaining requirements of the underlying zoning district apply.

(d) This ordinance does not modify permissible uses or the processes outlined in 49.15 Article II.

(e) When a landowner chooses to develop according to Downtown Juneau ADOD standards, the development must conform to all the standards outlined in 49.70.1430 and 49.70.1440.

(f) Downtown Juneau ADOD standards may be applied to a new subdivision within the ADOD boundary.

Commented [RP1]: Current code (49.70.1210.a) uses a map dated May 25, 2017. Is there a new map?

Commented [RP2R1]: Jill checking

Commented [IG3R1]: Provided (Attachment 02). Gaps compared to last map (03) are areas where the underlying zoning does not benefit from an ADOD (04). Note that the northern boundary has been shortened somewhat.

(g) Existing nonconforming lots and structures may be further developed following Downtown Juneau ADOD standards. Expansion of nonconforming structures must either meet the Downtown Juneau ADOD standards or the underlying zoning standards. The two standards cannot be combined.

49.70.1420 Downtown Juneau Alternative Development Overlay District procedure.

(a) An applicant affirms their participation in the Downtown Juneau Alternative Development Overlay District by submitting an alternative development permit application with their development permit application, and any other applications that may be required.

(b) The processes will be governed by corresponding permit type in accordance with Chapter 49.15.

49.70.1430 Downtown Juneau Alternative Development Overlay District Standards.

The following dimensional standards apply to lots within the Downtown Juneau ADOD boundary that existed on January 1, 2022, regardless of their underlying zoning district designation.

(a) Lot size.

(1) There is no minimum lot size.

(2) A lot benefiting from this article may not be further subdivided.

(b) Lot width.

(1) Minimum lot width is 25 feet.

(c) Minimum vegetative cover is 15 percent.

Commented [RP4]: The alternative language was likely arbitrary and not satisfy rational basis.

Lots that existed as of January 1, 2022:

(i) There is not minimum lot size.

(2) . Lots created by subdivision after January 1, 2022:

(i) Minimum lot size is 3,000 square feet.

(ii) . Minimum lot size for a duplex is 4,500 square feet.

(iii) Minimum lot size for a common wall structure is 3,000 square feet.

Add notes to staff report that describes a lot consolidation is not a subdivision for the purposes of this provision.

Commented [IG5R4]: Discussed and understood. I think.

Commented [IG6]: What is an article? I think it is any item within the 1400 series. So, anyone, doing any improvement under ADOD, would not be able to subdivide? So, if someone used ADOD to install a fireplace chase on one side of this lot would not be able to subdivide if he had a lot that met underlying zoning standards? I feel like that was not the intent? Maybe:

"A lot benefiting from this article must meet minimum lot size in underlying zoning in order to subdivide."

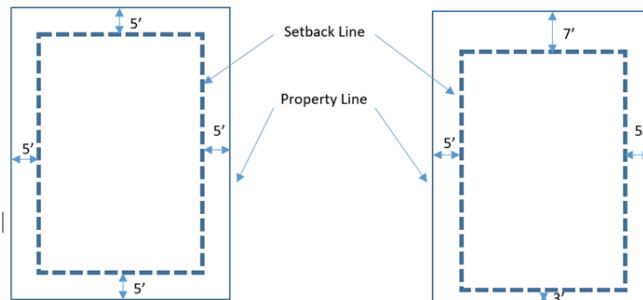
(d) Structure height.

- (1) Maximum height for ~~primary-permissible~~ uses is 35 feet.
- (2) Maximum height for accessory uses is 25 feet.

(e) Setbacks.

- (1) Setbacks will be measured from the structure closest to the lot line.
- (2) The minimum setback for any lot line is three feet.
- (3) Cumulative setback amount:
 - (A) The sum of all setbacks must equal at least 20 feet.
 - (B) The required setback sum may be reduced proportionally. In no case shall the required setback sum for the lot be less than 12 feet and in no case shall any setback be less than three feet.

Examples



§1430 Fig. 1

§1430 Fig. 2

(C) A new or expanded structure built on a corner lot must meet setback requirements under 49.70.1440.

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49.70.1440 Yard Setback Exceptions.

(a) Purpose. This section clarifies the exceptions that apply in the Downtown Juneau Alternative Development Overlay District. Exempted structures do not count toward the setback total.

(b) Exception categories.

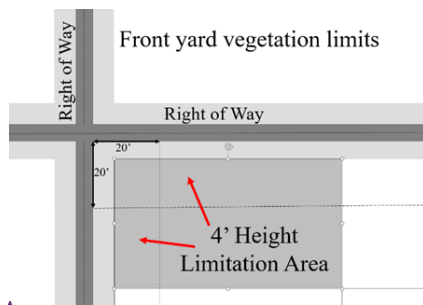
(1) Architectural features and roof eaves may project into a required yard, but not closer than two feet from the side or rear lot lines.

(2) Access structures, such as stairways, ramps, and landings with or without roofs, may extend to the lot line abutting a public right-of-way provided the structure does not exceed five feet in internal width exclusive of support structure.

(3) A parking deck as defined in 49.80 is exempt from the setback requirements of this chapter, ~~provided a non sight obscuring safety rail not more than 42 inches in height is allowed.~~

(4) Fences and vegetation.

(A) ~~The maximum height of a sight obscuring fence or vegetation shall not exceed four feet within 20 feet of the edge of the travel way. Trees are allowed within 20 feet of the edge of the travel way provided they do not obscure view from a height of four feet to a height of eight feet above ground.~~



Commented [RP7]: Add definition

Commented [RP8]: Is this the correct standard? Is reference to a regulation or standard better?

Commented [IG9R8]: I am providing a definition that incudes the sight-obscuring rail, if that is helpful (Attachment 05) This is the standard we currently have in code.

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Commented [RP10]: Consider rearranging this sentence to address trees.

Commented [IG11R10]: See opening position

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Commented [RP12]: Revise figure:
1.Change figure to say Travel way instead of ROW.
2. Add 3 foot height limitation in the figure for the corner.

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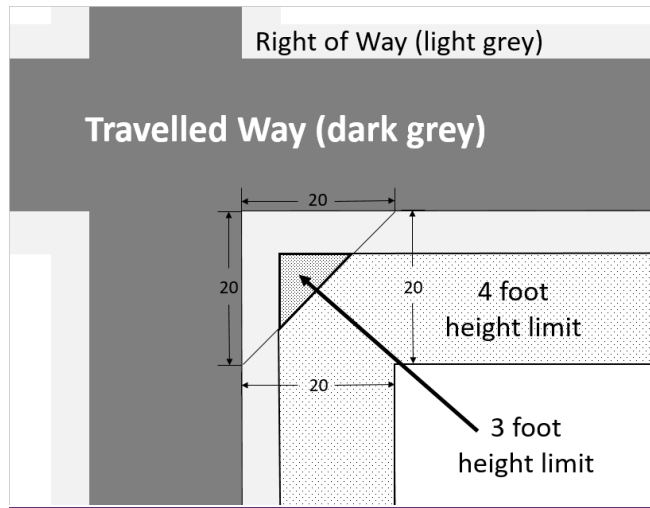
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(B) — On corner lots the maximum height of a sight-obscuring fence or vegetation located within 20 feet of a street intersection shall not exceed three feet. The area in which sight-obscuring fences and vegetation is restricted shall be determined by extending the edge of the travel ways to a point of intersection, then measuring back 20 feet, then connecting the three points. In this area, vegetation shall be maintained to a maximum height of three feet. Trees are allowed in this area provided the trees do not obscure view from a height of three to eight feet above the ground.

A) Within 20 feet of the edge of the travelled way, sight-obscuring fences and vegetation are limited to four feet. Sight-obstructing trees are not allowed (See figure XX).

B) Within 20 feet of a street intersection, sight-obscuring fences and vegetation are limited to three feet. Sight-obscuring trees are not allowed (See figure, XX). The area in which sight-obscuring fences and vegetation is restricted shall be determined by extending the edge of the travel ways to a point of intersection, then measuring back 20 feet, then connecting the three points.



49.80120 Definitions

Parking deck is an unenclosed structure on which motor vehicles may be parked. The access to the deck must be at street grade. The deck may have a non-sight-obscuring safety rail not more than 42 inches in height.

Sight-obscuring trees have branches or vegetation between the height limit of the regulated area and eight feet, or have a diameter over 14 inches.

49.85.100 Fees for Land Use Actions, Generally

~~(C) Alternative development permit, \$400.00~~

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

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

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Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented:
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-36

**An Ordinance Amending the Land Use Code Relating to the Downtown
Juneau Alternative Development Overlay District.**

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

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Section 2. Amendment of Section. CBJC 49.70.1210 is repealed.

Section 3. Amendment of Chapter. Chapter 70 is amended by adding a new Article XIV to read:

ARTICLE XIV.

DOWNTOWN JUNEAU ALTERNATIVE DEVELOPMENT OVERLAY DISTRICT

49.70.1400 Purpose.

The purpose of this chapter is to establish optional alternative dimensional standards that are consistent with the built environment in established neighborhoods, reduce the number of nonconforming situations, and support public health, safety and welfare.

49.70.1410 Applicability.

(a) This ordinance applies to property within the Downtown Juneau Alternative Development Overlay District (ADOD) boundary as shown on the map dated **DATE**.

(b) Participation in the Downtown Juneau ADOD to facilitate conforming development is optional.

(c) This section specifically modifies certain dimensional standards. Unless noted in this section, all remaining requirements of the underlying zoning district apply.

(d) This ordinance does not modify permissible uses or the processes outlined in 49.15 Article II.

(e) When a landowner chooses to develop according to Downtown Juneau ADOD standards, the development must conform to all the standards outlined in 49.70.1430 and 49.70.1440.

(f) Downtown Juneau ADOD standards may be applied to a new subdivision within the ADOD boundary.

(g) Existing nonconforming lots and structures may be further developed following Downtown Juneau ADOD standards. Expansion of nonconforming structures must either meet the Downtown Juneau ADOD standards or the underlying zoning standards. The two standards cannot be combined.

49.70.1420 Downtown Juneau Alternative Development Overlay District procedure.

(a) An applicant affirms their participation in the Downtown Juneau Alternative Development Overlay District by submitting an alternative development permit application with their development permit application, and any other applications that may be required.

(b) The processes will be governed by corresponding permit type in accordance with Chapter 49.15.

49.70.1430 Downtown Juneau Alternative Development Overlay District Standards.

The following dimensional standards apply to lots within the Downtown Juneau ADOD boundary that existed on January 1, 2022, regardless of their underlying zoning district designation.

(a) Lot size.

(1) There is no minimum lot size.

(2) A lot benefiting from this article may not be further subdivided.

(b) Lot width.

(1) Minimum lot width is 25 feet.

(c) Minimum vegetative cover is 15 percent.

(d) Structure height.

(1) Maximum height for permissible uses is 35 feet.

(2) Maximum height for accessory uses is 25 feet.

(e) Setbacks.

(1) Setbacks will be measured from the structure closest to the lot line.

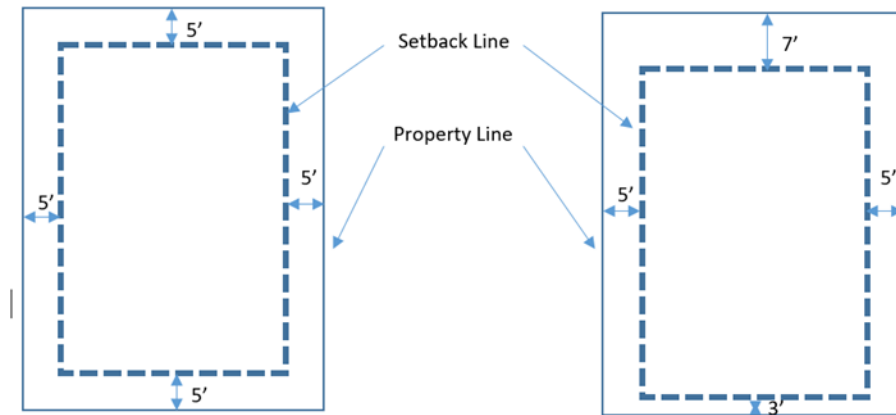
(2) The minimum setback for any lot line is three feet.

(3) Cumulative setback amount:

(A) The sum of all setbacks must equal at least 20 feet.

(B) The required setback sum may be reduced proportionally. In no case shall the required setback sum for the lot be less than 12 feet and in no case shall any setback be less than three feet.

Examples



§1430 Fig. 1

§1430 Fig. 2

(C) A new or expanded structure built on a corner lot must meet setback requirements under 49.70.1440.

49.70.1440 Yard Setback Exceptions.

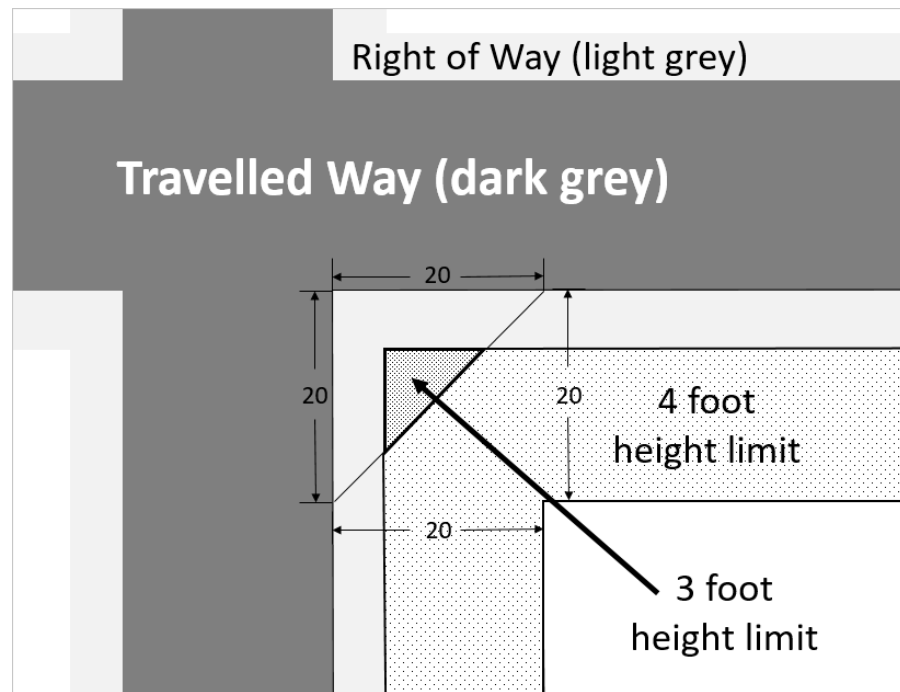
(a) Purpose. This section clarifies the exceptions that apply in the Downtown Juneau Alternative Development Overlay District. Exempted structures do not count toward the setback total.

(b) Exception categories.

- (1) Architectural features and roof eaves may project into a required yard, but not closer than two feet from the side or rear lot lines.
- (2) Access structures, such as stairways, ramps, and landings with or without roofs, may extend to the lot line abutting a public right-of-way provided the structure does not exceed five feet in internal width exclusive of support structure.
- (3) A parking deck as defined in 49.80 is exempt from the setback requirements of this chapter.
- (4) Fences and vegetation.

A) Within 20 feet of the edge of the travelled way, sight-obscuring fences and vegetation are limited to four feet. Sight-obstructing trees are not allowed (See figure XX).

B) Within 20 feet of a street intersection, sight-obscuring fences and vegetation are limited to three feet. Sight-obscuring trees are not allowed (See figure XX). The area in which sight-obscuring fences and vegetation is restricted shall be determined by extending the edge of the travel ways to a point of intersection, then measuring back 20 feet, then connecting the three points.



49.80120 Definitions

Parking deck is an unenclosed structure on which motor vehicles may be parked. The access to the deck must be at street grade. The deck may have a non-sight-obscuring safety rail not more than 42 inches in height.

Sight-obscuring trees have branches or vegetation between the height limit of the regulated area and eight feet, or have a diameter over 14 inches.

49.85.100 Fees for Land Use Actions, Generally

~~(C) Alternative development permit, \$400.00~~

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

Adopted this _____ day of _____, 2021.

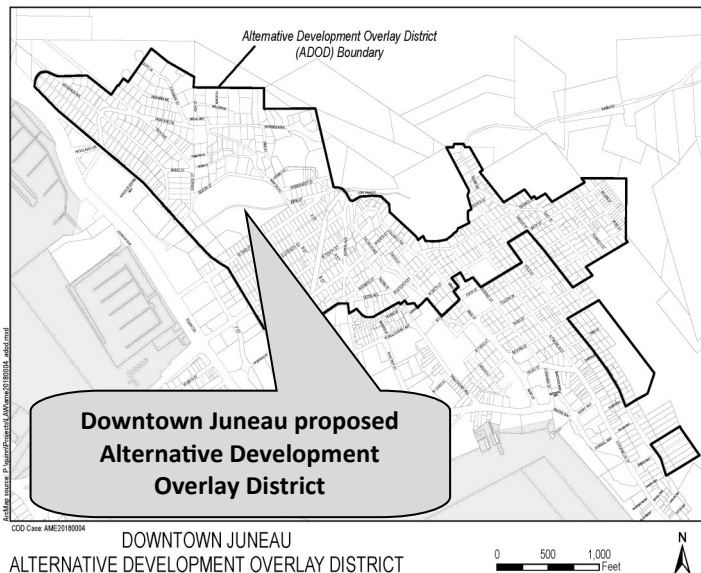
Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



AME2018 0004
 ATTACHMENT C, Page 1



To:

An application has been submitted for consideration and public hearing by the Planning Commission for **Revision to the Alternative Development Overlay District** located in **Downtown Juneau**.

*Information on the project can be found at www.juneau.org/community-development/special-projects/downtown-zoning. Information is in the process of being updated.

*Staff Report expected to be posted **Monday, February 14, 2022**, at <https://beta.juneau.org/assembly/assembly-minutes-and-agendas> Find hearing results, meeting minutes and more here as well.



Now through Jan. 31	Feb. 1 noon, Feb. 18	HEARING DATE & TIME: 7:00 pm, Feb. 22, 2022	Feb. 23
Comments received during this period will be sent to the Planner, Irene Gallion , 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 virtual meeting will be by video and telephonic participation only. To join the Webinar, visit: https://juneau.zoom.us/j/84594683197 . The Webinar ID is: 845 9468 3197 . To join by telephone, call: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866 and enter the Webinar ID.	The results of the hearing will be posted online.

Phone: (907)586-0753 Ext. 4130 ♦ Email: pc_comments@juneau.org
 Mail: Community Development, 155 S. Seward St, Juneau AK 99801

Printed January 27, 2022

Case No.: AME2018 0004
 Parcel No.: N/A
 CBJ Parcel Viewer: <http://epv.juneau.org>

From: Judy Crondahl <crondahl@gmail.com>
Sent: Saturday, January 29, 2022 8:14 AM
To: PC_Comments
Cc: Jill Maclean
Subject: Alternative Development Overlay District

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Please help. I just received a post card on this topic. I could not read the map on the card (too small and faintly printed) nor could I find any info on what the revision is. I could not even find a web address on this card where I could find the information. Someone really should have checked this card before it was printed to make sure it included basic (and readable) information.

Can you direct me to a web page where I can find what this is about? Thanks.

Judy Crondahl

From: Ellen Carrlee <juneauellen@gmail.com>
Sent: Saturday, January 29, 2022 10:12 AM
To: PC_Comments
Subject: Postcard on Alt Dev Overlay District

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Hi Irene Gallion and other planning sorts of folks...

I received an orange postcard in the mail, indicating that something will be happening that impacts my property at 422 Calhoun, where I've lived for 20 years. What that might be, and how to comment before January 31 to be included as sent to you and included in an attachment to the staff report, is OPAQUE. Today is Saturday, January 29 and right now is the ideal time for me to enjoy a coffee and review this information in order to give feedback. But when I go to the link on the website, I can find nothing. The postcard, with its typical illegible map and no useful info on the postcard itself, says "information is in the process of being updated." Since it is the weekend, I anticipate it is unlikely to be updated before Monday the 31st, which is the deadline for comments to reach the first listed recipients.

Again I feel moved to send you feedback that this process reflects very poorly on the folks responsible for city planning. It has the veneer of informing the public, seeking feedback, and a proper civic process but it is not. It seems incompetent at best and deceptive at worst. For years, whenever I see these colorful postcards I laugh to myself and say "Here's the cover-your-ass postcard that pretends to inform me and seek my input but in fact has no intention of doing so."

Generally I have few complaints about the CBJ and few things rile me up. I almost never contact the CBJ about anything. But this postcard has now driven me to write to you a second time. Please fix this process.

Sincerely,
Ellen Carrlee
422 Calhoun Avenue
(907) 209-8260

From: Irene Gallion
Sent: Monday, January 31, 2022 7:54 AM
To: PC_Comments
Subject: FW: Support for Alternative Development Overlay District

From: Gregory Chaney <greg.chaney.glacier.l.and.s@gmail.com>
Sent: Saturday, January 29, 2022 1:09 PM
To: Irene Gallion <Irene.Gallion@juneau.org>
Subject: Support for Alternative Development Overlay District

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

January 29, 2022

Irene Gallion
Project Manager
Downtown Zoning Project

I am writing to express my strong support for the proposed Development Overlay District as outlined in the staff report titled "*Alternative Development Overlay District - Review of Proposed Standards*" dated December 5th and 7th, 2019. To my knowledge, this document describes the current proposal.

Existing development in the historic part of downtown Juneau is largely out of conformance with current zoning dimensional standards. This is particularly true in the Starr Hill neighborhood where I live. The proposed overlay district would be a significant step toward allowing new construction to be similar in nature to the existing character of the neighborhood.

My only cautionary note is that after reading the proposal, it was unclear to me if new structures would be allowed to be built on corner lots within 5 feet of intersections. Vegetation is restricted in such locations as shown in the diagrams at the end of the staff report. Based on my interpretation of the diagrams, the proposed overlay district would allow construction of buildings within the area where vegetation over 4 feet (or 3 feet adjacent to an intersection) is currently restricted. Since the two standards don't appear to be compatible, some additional review of this issue would be appropriate. Sight distance at intersections in the downtown area is often extremely limited, so it would be helpful if the new overlay district allowed development at intersections without causing unsafe reductions in visibility.

Thank you for this opportunity to comment on this welcome modification to Title 49.

Sincerely,

Greg Chaney
715 Sixth Street, Starr Hill Neighborhood

From: Jon K. Tillinghast <jon@stsl.com>
Sent: Monday, January 31, 2022 3:58 PM
To: PC_Comments
Cc: Gordon Harrison; Sarah Isto; Lisa Rickey; Betsy Brenneman; sherrib.ak@gmail.com; eschroederjnu@gmail.com
Subject: Proposed Downtown Juneau Overlay District (comments due by 2/18)
(www.juneau.org/community-development/special-projects/downtown-zoning)

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission and Staff...

We are strongly opposed to the current proposal to reduce the minimum lot size on the upper Highlands (homes uphill of Troy Ave.) to 3,000 feet from the current 7,000 sq. feet. We appreciate that, in other downtown neighborhoods, a reduction in lot size may be valuable to bring those lots into zoning conformity. However, a map included in the staff presentation on this proposal demonstrates that virtually all upper Highlands lots are at least 6,000 square feet, and many substantially above that. Shrinking the lot size in this neighborhood will do nothing but promote a diminution in property values and a loss of the enjoyment that these residents experience in their property. And, while we acknowledge that many upper Highlands properties may be restricted by geologic hazard rules, that is no excuse for an overinclusive, meat ax zoning change.

In your final version of this proposal, we urge the Planning Commission to be a bit more surgical than has been the case to date, and exclude the upper Highlands from your proposed "overlay" downzoning.

Sincerely,

Jon and Debbie Tillinghast

Jon K. Tillinghast
Simpson, Tillinghast, Sheehan & Araujo, P.C.
One Sealaska Plaza, Suite 300
Juneau, Alaska 99801
(907) 321-3405 (cell)
(907) 586-3065 (fax)
Email: jon@stsl.com

AME2018 0004

Alternative Development Overlay District

Planning Commission Regular Meeting
February 22, 2022

Asking the Commission for:

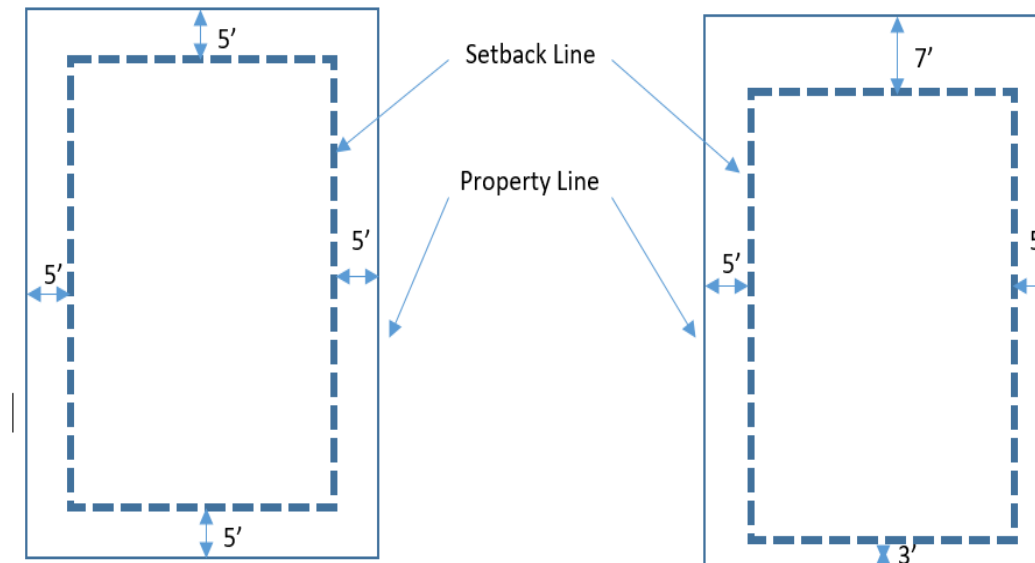
- Proposed setbacks – specific to sight distance
- Proposed lot size
- Exemptions

In July the proposal was:

- Minimum lot width = 25 feet
- Minimum vegetative cover = 15 percent
- Structure height = 35' permissible
= 25' accessory

In July the proposal was:

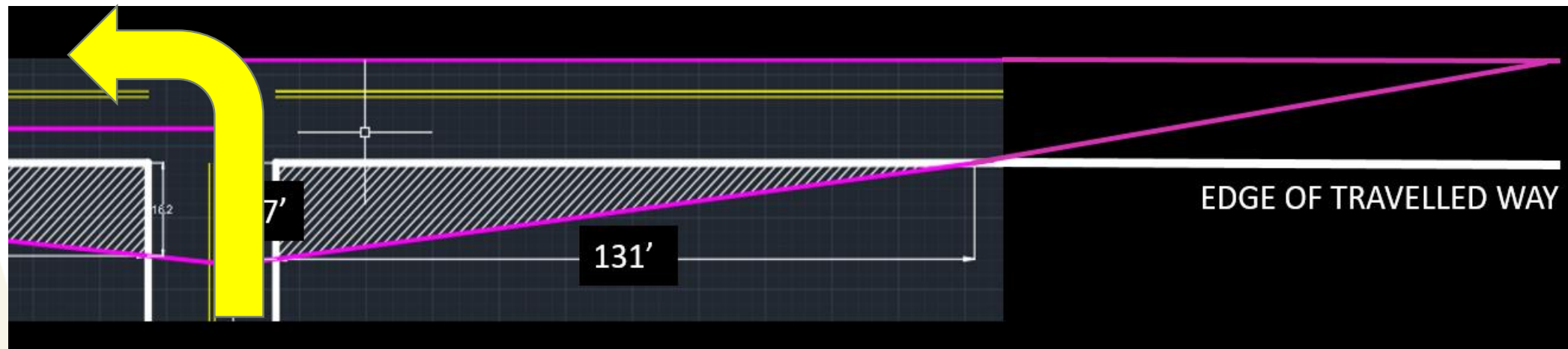
- Setback sum of 20 feet, with minimum setback of three feet



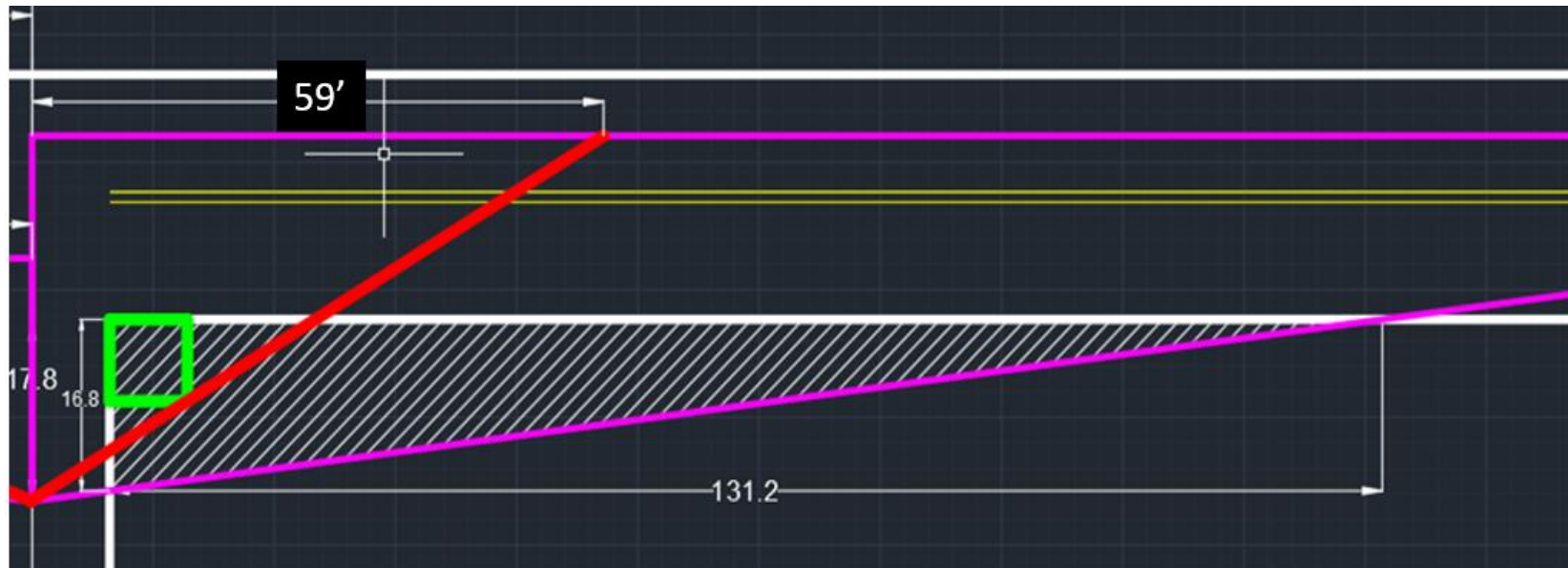
- Lot size = 3,000 square feet SFH: 4,500 duplex

Setbacks and sight distance

Left turn: 280 feet sight distance

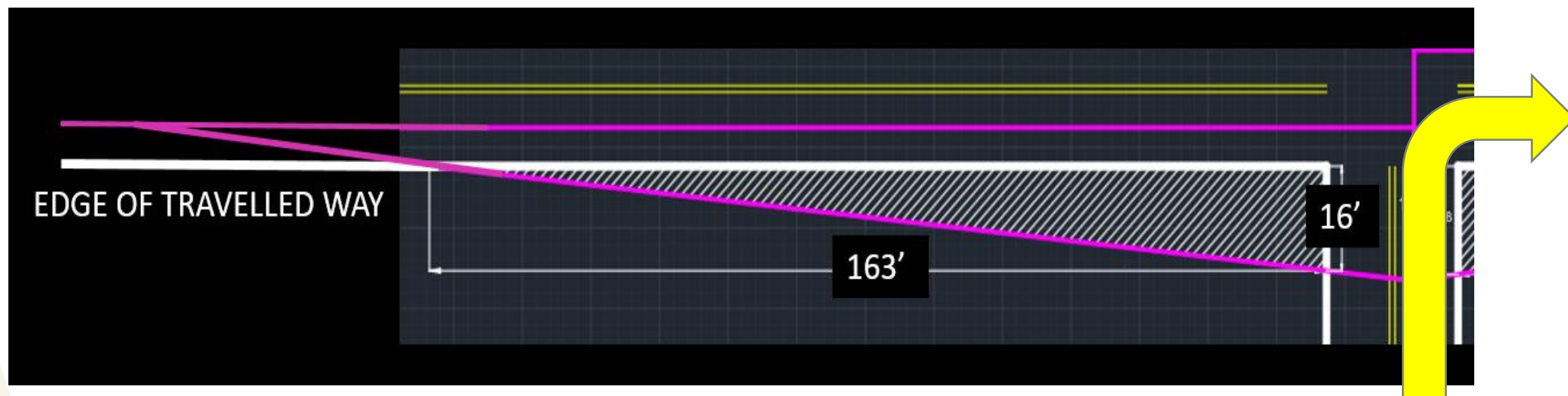


Setbacks and sight distance

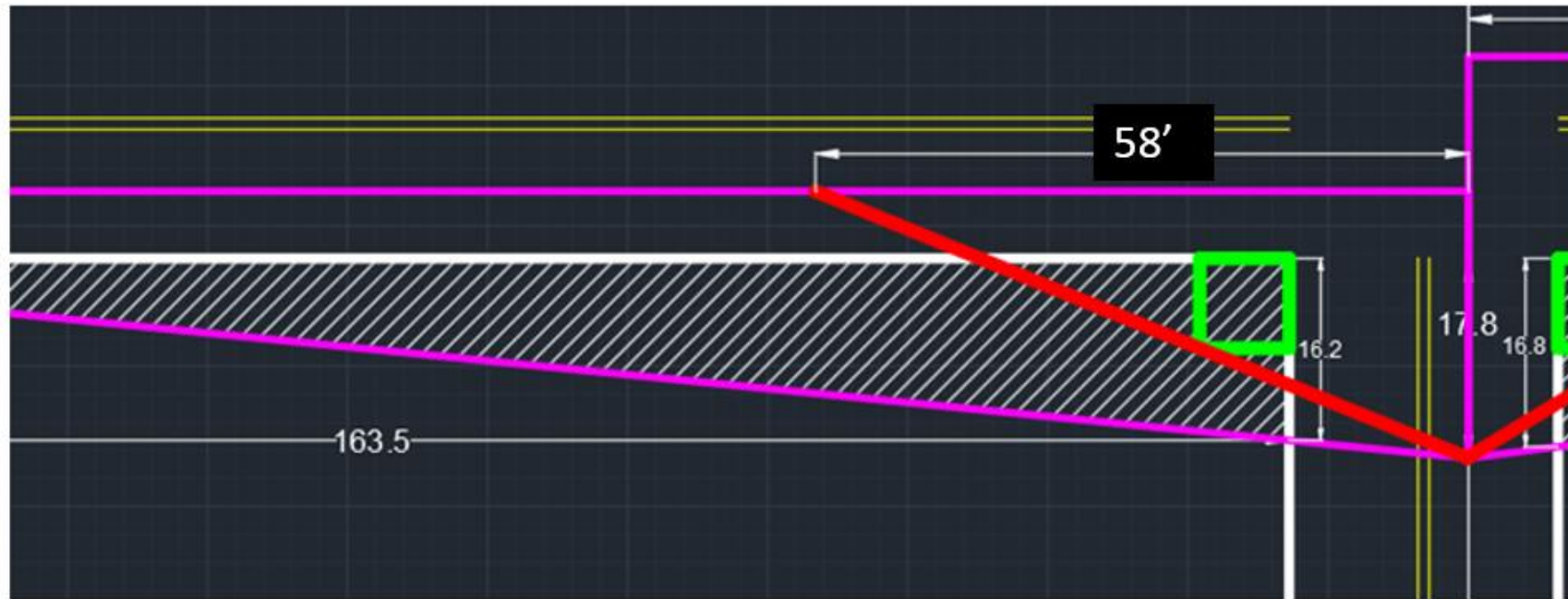


Setbacks and sight distance

Right turn: 240 feet sight distance



Setbacks and sight distance





Questions for the Commission

- Does sight distance raise concerns for you?
- If so, what would help address those concerns?
- How do we balance simplicity with accuracy?
- What sort of effort would you like to see staff make on this topic?
- Traffic Engineer?
- Damage waivers?

Lot size, 49.70.1430

- (1) There is not minimum lot size.
- (2) Lots created by subdivision after January 1, 2022:
 - (i) Minimum lot size is 3,000 square feet.
 - (ii) Minimum lot size for a duplex is 4,500 square feet.
 - (iii) Minimum lot size for a common wall structure is 3,000 square feet.

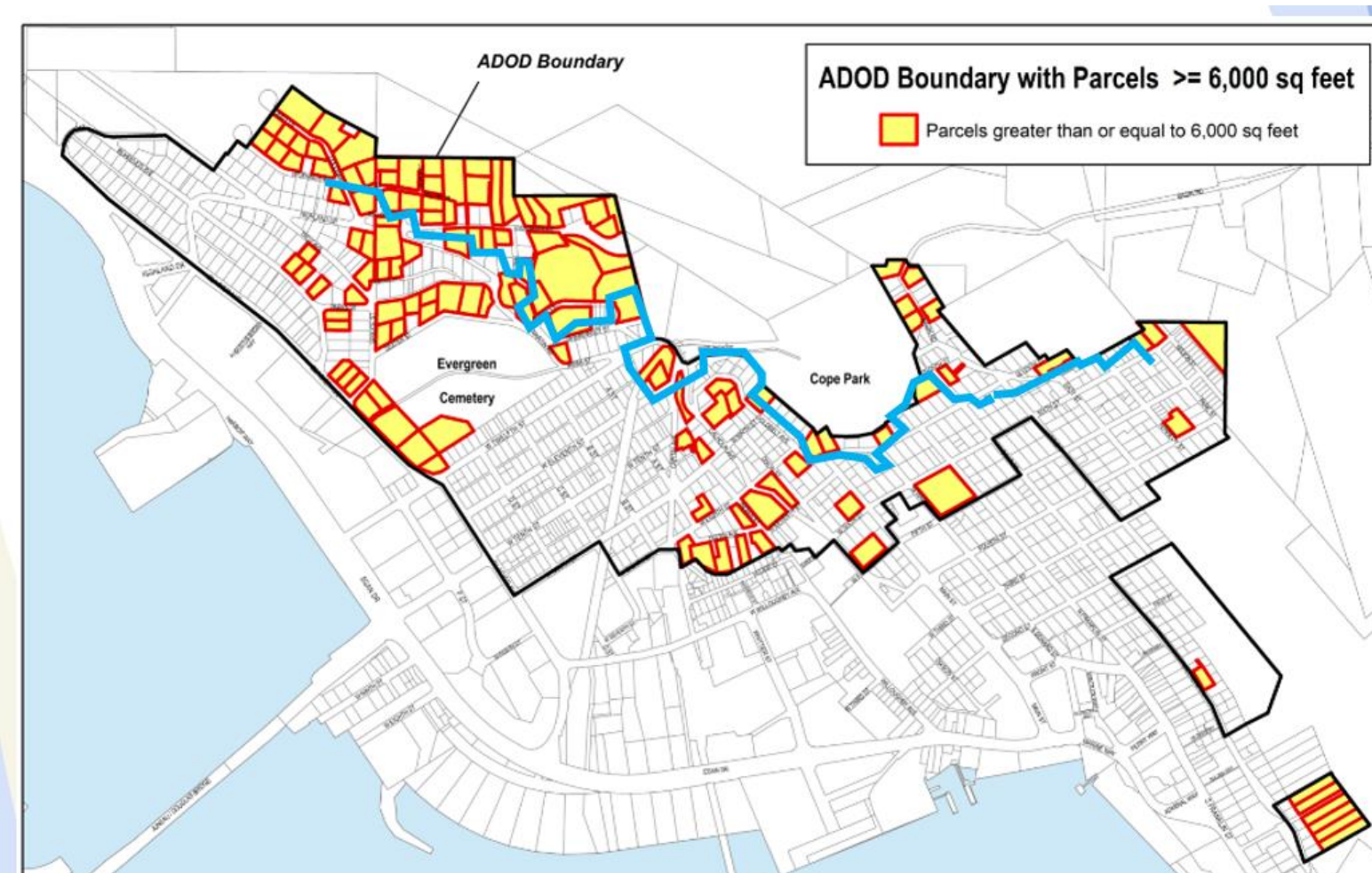
Rational basis is a legal concept that disallows drawing distinctions between persons in a way that may violate the equal protection clause.

Goals of the Commission

Area	Count	Total	% Conforming
4500	450	810	56%
4000	491	810	61%
3500	586	810	72%
3000	632	810	78%
2500	676	810	83%
2000	725	810	90%
1500	775	810	96%

Goals of the Commission

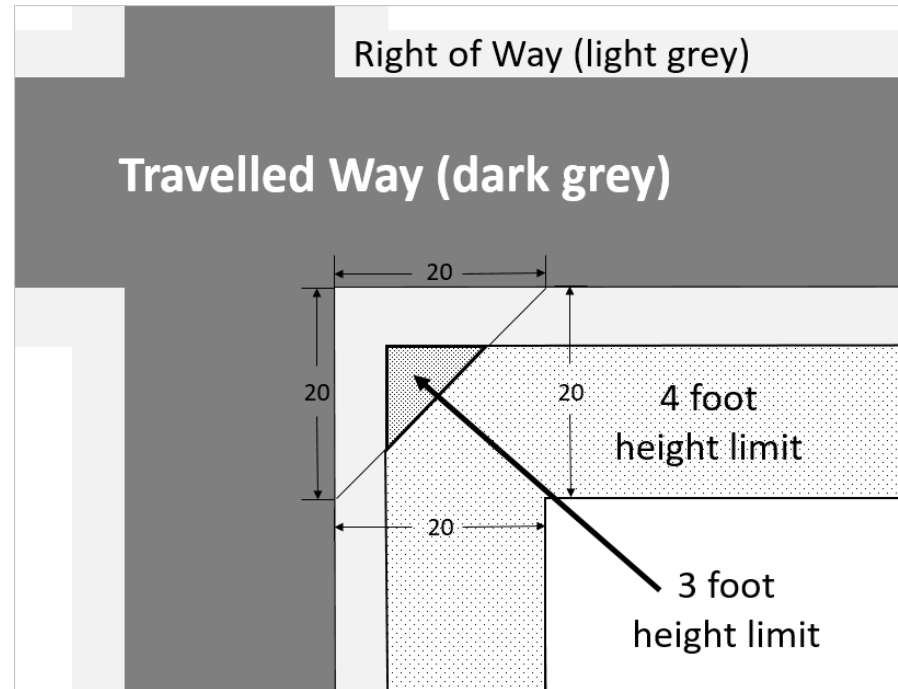
13



Questions for the Commission

- Eliminate lot size from consideration?
- Revert to lot size proposal without date?
 - 3,000 sf for SFH/common wall
 - 4,500 for duplex
 - Any modifications?

Trees proximate to travelled ways



Sight-obscuring trees have branches or vegetation between the height limit of the regulated area and eight feet, or have a diameter over 14 inches.

Parking Deck

A parking deck as defined in 49.80 is exempt from the setback requirements of this chapter, ~~provided a non-sight-obscuring safety rail not more than 42 inches in height is allowed.~~

Parking deck is an unenclosed structure on which motor vehicles may be parked. The access to the deck must be at street grade. The deck may have a non-sight-obscuring safety rail not more than 42 inches in height.

Questions for Commissioners

- Do we need further modifications?
- Is there a reason this should NOT be applied to the non-ADOD exemptions?

Asking the Commission for:

- Proposed setbacks – specific to sight distance
- Proposed lot size
- Exemptions

Setbacks

- Does sight distance raise concerns for you?
- If so, what would help address those concerns?
- How do we balance simplicity with accuracy?
- What sort of effort would you like to see staff make on this topic?
- Traffic Engineer?
- Damage waivers?

Lot size

- Eliminate lot size from consideration?
- Revert to lot size proposal without date?
 - 3,000 sf for SFH/common wall
 - 4,500 for duplex
 - Any modifications?

Exemptions

- Do we need further modifications?
- Is there a reason this should NOT be applied to the non-ADOD exemptions?

THANK YOU!

22



**PLANNING COMMISSION AGENDA
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

New City Hall Update

ATTACHMENTS:

	Description	Upload Date	Type
▣	Memo Regarding a New City Hall Site Selection Update 1	2/15/2022	Miscellaneous
▣	Memo Regarding a New City Hall Site Selection Update 2	2/16/2022	Miscellaneous



MEMORANDUM

DATE: February 4, 2022

TO: Chair LeVine and CBJ Planning Commission

FROM: Katie Koester, Engineering and Public Works Director

SUBJECT: New City Hall Site Selection Update

The purpose of this memo is to update the Planning Commission on City Hall Site Selection. In November of 2021 CBJ issued a survey requesting input from the public on how they use City Hall, priorities for the facility, and recommendations on locations. Core takeaways from the survey were a desire to occupy the vacant Walmart building, a preference for a building with a long life span and adequate parking.ⁱ The feedback from the survey was used to build a matrix for site selection and come up with a list of sites to vet. At the December 20, 2021 PWFC meeting, the committee reviewed a list of sites, the site selection matrix and narrowed the list to the sites listed below. The matrix for the top 4 sites and the presentation detailing pros and cons of the 4 alternatives is attached. A public forum was held January 26 via zoom to get additional feedback and present more detail on the top 4 sites.

- Status Quo (renovate current facilities)
- Walmart Building
- 450 Whittier/ Public Safety Lot
- Downtown Transportation Center

Next Steps:

February 14 PWFC - staff report on feedback from public forum and request for PWFC to prioritize two of the four sites for further analysis and development.

February 22 Planning Commission – Staff report on top 2 sites; collect input from Commission for Assembly review of site selection

March 7 PWFC and COW - concept drawings, economic analyses and input from Planning Commission will be provided on the two selected sites in order to inform a decision on a single site.

Enc:

Presentation on New City Hall Site Analysis

Site Selection Matrix for top 4 sites

ⁱ Visit the New City Hall page for copies of published information, including the results of the New City Hall survey <https://juneau.org/engineering-public-works/new-city-hall>

NEW CITY HALL SITE SELECTION MATRIX 12.17.21

		CRITERIA	% Recommended in survey *	Designed for long service life	Adequate parking	Sustainability/ Energy Efficiency*	Located in concentrated business area/ near State and Federal offices	Repurpose existing building	Available Space (lot/building size)- space needs 46,000 sqft facility	Ownership (do we own it, is it for sale or could it be?)	Capital cost (acquisition, construction & remediation)	Displacement of other use	Operating cost estimate	Accessibility (pedestrian and auto)	Note
	OPTIONS														
	Downtown Renovate														
	Status Quo: Renovate current building; continue to rent		4% including demo/addition 18% opposed to New City Hall	Limited: Facility is already 70 years old; renovate to get another 25 years.	No. Current parking is a challenge	Remodel of City Hall would need to be LEED certified. Repurposed old garage so difficult to build in sustainable components. Repurposing has value.	Heart of Downtown	Yes	City Hall: 17,000 sq ft + 33,000 sq. ft. rental = 50,000 sq. ft. TOTAL	Own City Hall, continue to rent Marine View, Muni Way Bldg, Seadrome & Sealaska	\$11.2M in renovations to City Hall to extend life 25 years; \$ tenant improvements to leased space needed	Status quo (displaces downtown housing)	\$750/year rent; \$265,000 operating City Hall (today's dollars)	Traffic access can be a challenge at existing facilities; pedestrain access good	Hard to phase, hazmat, displace city offices and chambers for construction
	Downtown New Construction														
	450 Whittier (Public Safety Lot)		<1%	Long: new construction	Good: available public parking around (150 spots leased to state; Zach Gordon and JACC); simple site to consider building additional parking underground	New construction can incorporate sustainability		Supports campus expansion of cultural institutions; lots of surrounding public facilities	Yes. Main parcel 14,400 sqft with 3,000 sq ft city parcel to north.	CBJ owns	\$33.5M new construction; +\$4M for underground parking (36 spaces); +\$9.6M to add 2 levels @DTC (124 spaces)*	Lot used for parking now; good location for future housing development	\$355,000.* New and purpose built = lower operating cost.	Accessible location outside of Downtown core with good traffic access from all parts of CBJ. Good pedestrian access	Promotes growth of Aak'w Village District.
	On top of Down Town Parking Garage (DTC)			Long: new construction	No. Displaces existing parking	New construction can incorporate sustainability.	In Downtown core	No	Yes. Garage built to hold multi-story addition.	CBJ owns	\$32.8M (does not add parking)*	Some parking	\$355,000*. New construction could be built efficiently	Moderate; access not at street level	Logistically challenging and disruptive to Downtown during construction
	Valley/ Lemon Creek Remodel														
	Walmart Building		32%	No. Poorly constructed 30 year old building that has sat vacant for years	Yes. Tons of parking.	Weather envelope minimal; building has sat cold for years; possibility for mold; will be difficult to meet LEED standards. Repurposing facility has value.	Centrally located between Downtown and Valley.	Yes	Yes. Building is 122,000 square feet (Almost 3x needed space). Large lot.	Building for sale, land lease	TOTAL: \$52.6M - Acquisition: \$9M + land lease; remodel of less than half building (50,000 sq. ft.): \$40M*; demo/warehouse remainder: \$3.6M	Vacant building; valuable lot and location for future large retail development	Land lease: \$271,000 for 50 years; Could remodel 50,000 sq. ft. and leave rest as warehouse for cost of demo but have to heat it which would increase costs.	Good auto access; poor pedestrian access	Lemon Creek Plan supports re-use of Walmart building
			*of the 2/3 of respondents who gave a specific location			*Per CBJ code, all major renovation and new construction needs to be LEED certified					* Costs escalated to 2025.		* Estimate based on analysis for operating cost of new City Hall on top of DTC in 2026		

New City Hall

Preliminary Site Analysis



Preliminary Analysis

- Status Quo
- Downtown Transit Center
- 450 Whittier (Public Safety Lot)
- Walmart building

Status Quo Location

PRO

- Least expensive in short term (11.2M)
- Lots of feedback against a New City Hall (for different reasons)
- Always consider the status quo option

CON

- A lot to sink into a 70 year old facility
- Does not consolidate City services
- Does not improve parking



Municipal Building: Projected Repairs/System Replacement Timeline

2024	2029	2034
EXTERIOR REPAIR PACKAGE Exterior Painting, Mural Repair, Window Replacement, Marquee Repairs & Fall Protection \$1,074,000	ROOF REPLACEMENT Replacement of main roof, Installation of Fall Protection \$1,016,000	
INTERIOR FINISH UPGRADES Carpet Replacement, Stair Tread Replacement, Interior Painting \$755,000	MECHANICAL, ELECTRICAL, & PLUMBING UPGRADES Upgrade existing Ventilation and Heating System, install Ventilation where lacking (50% of building), replace Domestic Water and Waste Water Piping, Upgrade Electrical ³ \$4,429,000	MAJOR TENANT IMPROVEMENT Reconfigure space to reflect current use, upgrade all restrooms ³ \$3,778,000
LED LIGHTING + SECURITY CAMERAS \$94,000		
2024	2029	2034
\$1,923,000	\$5,445,000	\$3,778,000

GRAND TOTAL

\$11,146,000

Notes

1. Estimated costs reflect total project costs.
2. Construction costs have been escalated from November 2021 to June of the year planned at 3%/yr.
3. Estimate does not include cost for temporarily relocating staff/departments during construction.

Downtown Transit Center (DTC)

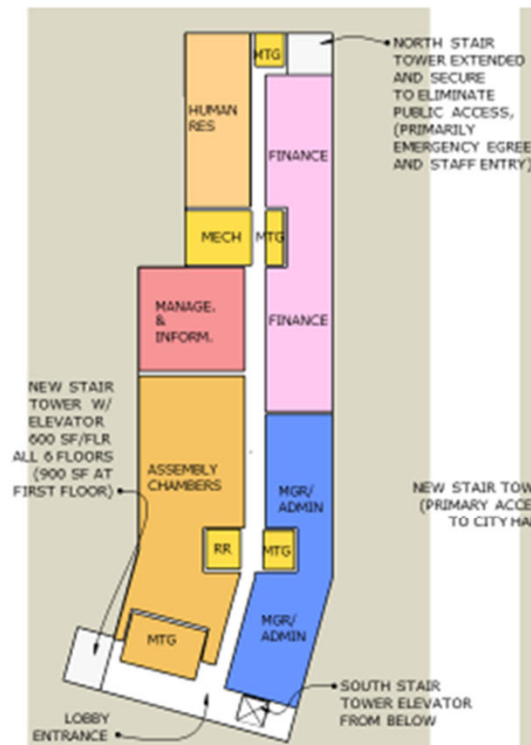
PRO

- Least expensive option by a few million (because foundation work done with garage)
- Work has already been done to bring this concept to next phase
- Does not take up other valuable real-estate for down town development
- Remains in downtown core
- Dedicated parking easy

CON

- No street access
- Displaces existing parking; No net growth in parking
- Challenge to retrofit concrete structure with utilities



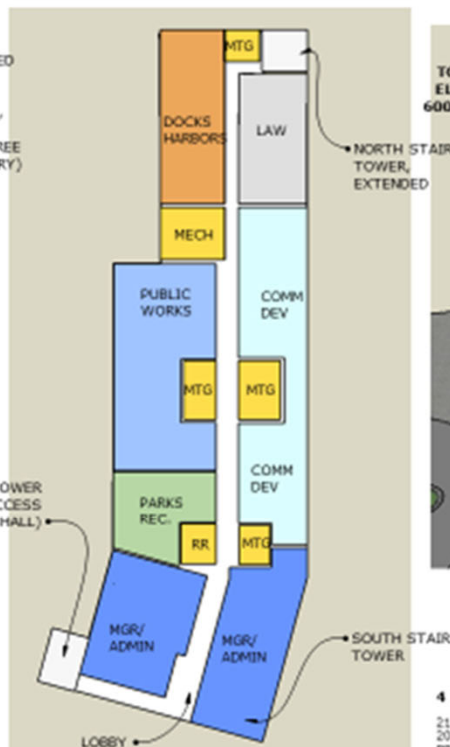


5TH FLOOR OFFICE PROGRAM

21,700 SF

MANAGER AND ADMIN SERVICES 4,410 SF
MANAGEMENT AND INFORMATION SYSTEMS 2,080 SF
COMMUNITY DEVELOPMENT 3,705 SF

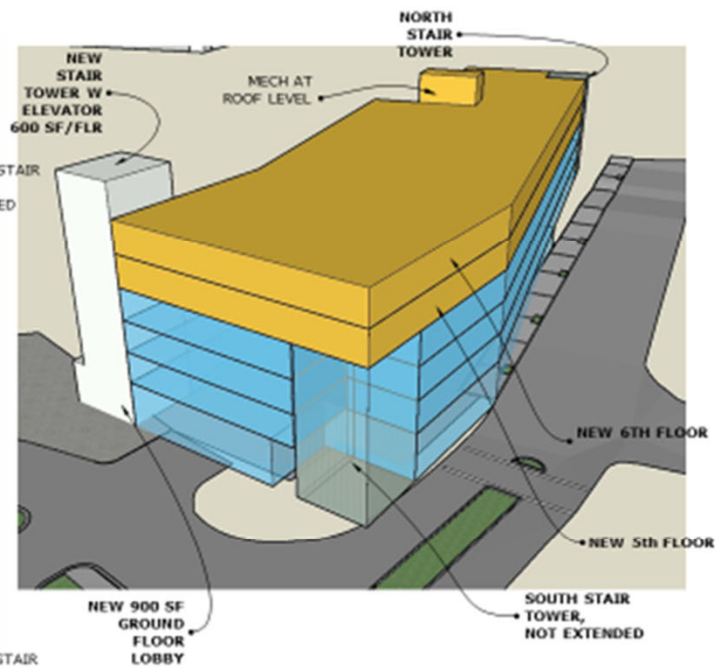
NEW STAIR TOWER (PRIMARY ACCESS TO CITY HALL)



6TH FLOOR OFFICE PROGRAM

21,700 SF

DOCKS AND HARBORS 1,180 SF
FINANCE 4,950 SF
HUMAN RESOURCES 1,800 SF
PARKS AND RECREATION 1,350 SF
PUBLIC WORKS 3,325 SF
LAW 1,700 SF



4 LEVELS OF EXISTING PARKING

21,562 SF
209 CURRENT TOTAL PARKING SPACES
PROPOSED MINIMAL OR NO CHANGE

46,100 SF GROSS ADDED OFFICE AREA
EXIST. PARKING LEVELS 1-4 NO CHANGE

CITY HALL PLANNING

PROGRAM - 2 FLOOR ADDITION ABOVE CURRENT 4TH FLOOR PARKING LEVEL

10-16-18





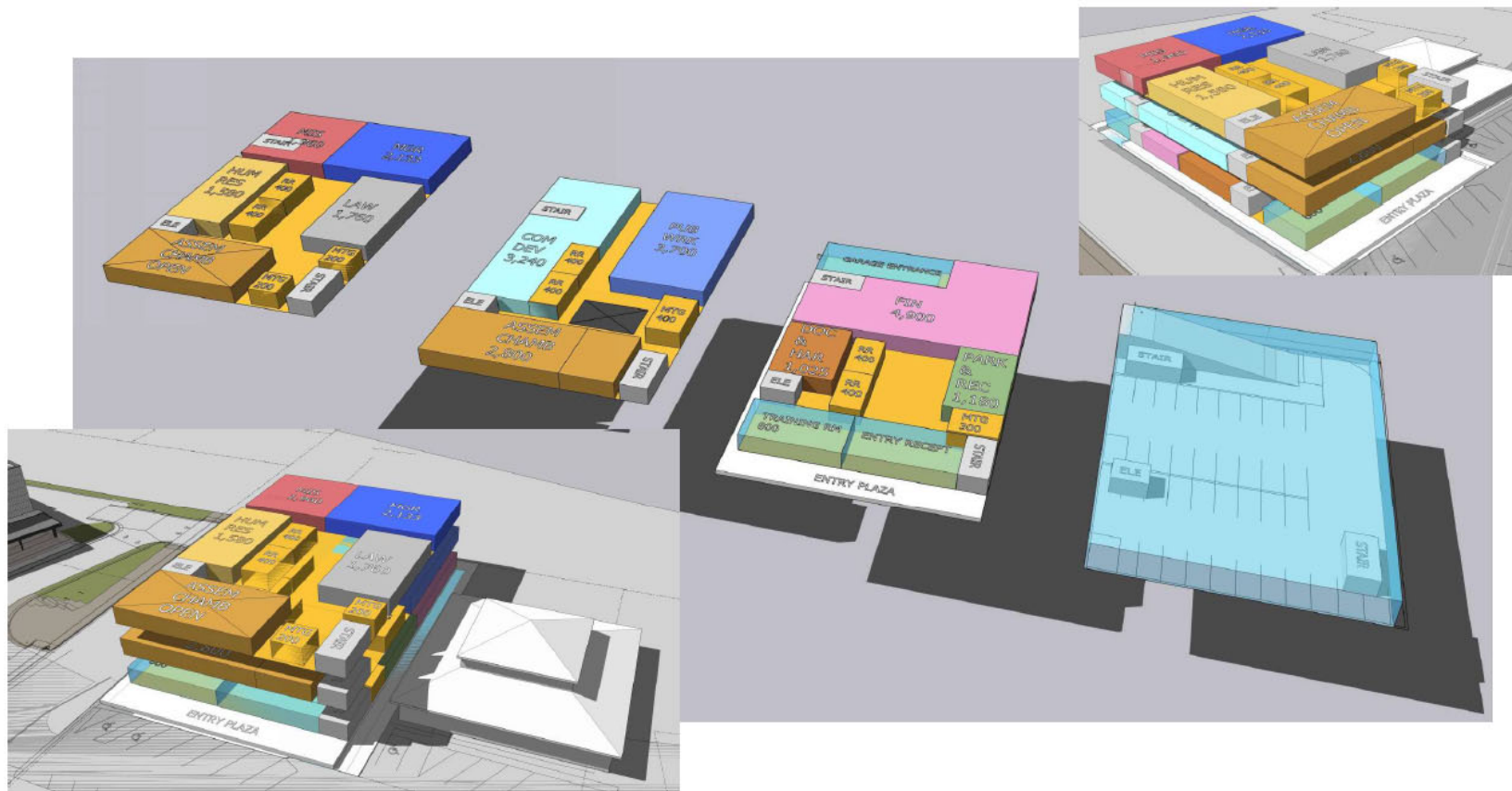
450 Whittier

PRO

- CBJ owns the lot (and several surrounding lots)
- Development of Aak'w Village District: Tribe offices, Centennial Hall, Federal building.
- Opportunity for maximal use of parking
 - Underground/ shared parking
 - Option to supplant displaced parking at DTC

CON

- Would be a great location for future housing development
- Outside of Downtown Core
- Cost: \$33.5 + parking expansion (less than a million more than the DTC)



■ MANAGER AND ADMIN SERVICES 4,410 SF	■ MANAGEMENT AND INFORMATION SYSTEMS 2,080 SF	■ COMMUNITY DEVELOPMENT 3,705 SF
--	---	--

■ DOCKS AND HARBORS 1,180 SF	■ FINANCE 4,950 SF	■ HUMAN RESOURCES 1,800 SF
---	---	--

■ PARKS AND RECREATION 1,350 SF	■ PUBLIC WORKS 3,325 SF	■ LAW 1,700 SF
---	--	---

■ OTHER 9,261 SF	■ CIRCULATION
---	--

CITY HALL PLANNING
Development at the 450 Whittier Site

NorthWind Architects + SRS Architecture



Former Walmart



PRO

- Lots of public support for reuse of facility
- Central Location between population centers
- Opportunity for additional uses (122,000 square feet and 10 acre lot)
- Tons of parking

CON

- Building has sat vacant for years, unknown condition
- Difficult to bring to LEED standards
- Land Lease \$271,000/yr 50 years (land not currently for sale)
- Good location for other/large retail development
- Challenge to bring up to current codes required by change in use
- Twice the SF needed

Next Steps

- Ongoing: For 4 sites, refine cost estimates, answer questions
- January 26: Public Meeting on list of sites
- February 14:
 - Staff report on Public Meeting feedback; Analysis of DT employee spending
 - PWFC prioritizes sites to 2
- February 22 Planning Commission: review 2 sites and collect feedback
- March 7 PWFC and COW review economic analysis and select single site
- March – April: Conceptual work on preferred alternative
- Early April: Public Meeting on preferred alternative
- April/May: PWFC and Assembly – report on public feedback, presentation of preferred alternative
- July: Introduce ordinance for ballot proposition

Questions?





MEMORANDUM

DATE: February 14, 2022

TO: Chair Bryson and Public Works and Facilities Committee

FROM: Katie Koester, Engineering and Public Works Director

SUBJECT: New City Hall Site Selection Update

The purpose of this memo is to collect input from the Planning Commission on site selection for New City Hall. At your last meeting, ask for a recommendation from the PWFC on the two top sites for further study and economic analysis. At the January 24, 2022, PWFC meeting, the committee reviewed the top 4 sites proposed for city hallⁱ. Since then, a public forum was held on January 26th and the Planning Commission was updated on the project February 8th.ⁱⁱ New information presented today is an analysis of the spending impact of downtown CBJ employees requested at the public forum.

Staff Recommendation:

Staff recommends selecting the Downtown Transit Center and 450 Whittier as the top two sites to explore further. The pros and cons of the sites have been discussed at multiple PWFC meetings.ⁱⁱⁱ To summarize:

Old Walmart Building: As much as everyone wants to see the vacant Walmart building repurposed, the type and size of building are not a good fit for city hall and would be more expensive to bring up to code than building new. Furthermore, the land is not for sale and does not achieve the goal of getting out of leasing property. In 50 years when the lease expires, would the City be right back at the drawing board?

The Importance of Being Downtown: Many have voiced the concern that for the vibrancy of the capital city, City Hall needs to be located in the center of government and economic activity.

Status Quo is Throwing Money Away: Sinking \$11.5M into a 70 year old facility that does not meet the needs of the City, and does not save rent down the road, is not a wise use of taxpayer dollars.

Next Steps:

February 14 PWFC - staff report on feedback from public forum and request for PWFC to prioritize two of the four sites for further analysis and development.

February 22 Planning Commission – Staff report on top two sites; collect input from Commission for Assembly review of site selection.

March 7 PWFC and COW - Concept drawings, economic analyses and input from Planning Commission will be provided on the two selected sites in order to make an informed decision on a single site.

Requested Action: Make a recommendation for two sites to move to the next phase of site selection.

ⁱ Status Quo (renovate current facilities); Walmart Building; 450 Whittier/ Public Safety Lot; Downtown Transportation Center

ⁱⁱ Summary of comments from January 26th public forum attached

ⁱⁱⁱ 1.24.22 Presentation on Preliminary Site Analysis for top 4 sites attached

CBJ Downtown Employee Spot Survey Results

February 14, 2022



Survey Details

- Spot survey of downtown CBJ employees was conducted Feb 7-9th, 2022
- 92% of CBJ downtown employees participated in the survey (151 of 164)
- 99% confidence level, 3% margin of error
- Survey administered by Rain Coast Data as a sub-contractor to NorthWind Architects as part of the New City Hall analysis

Potential City Hall Workers

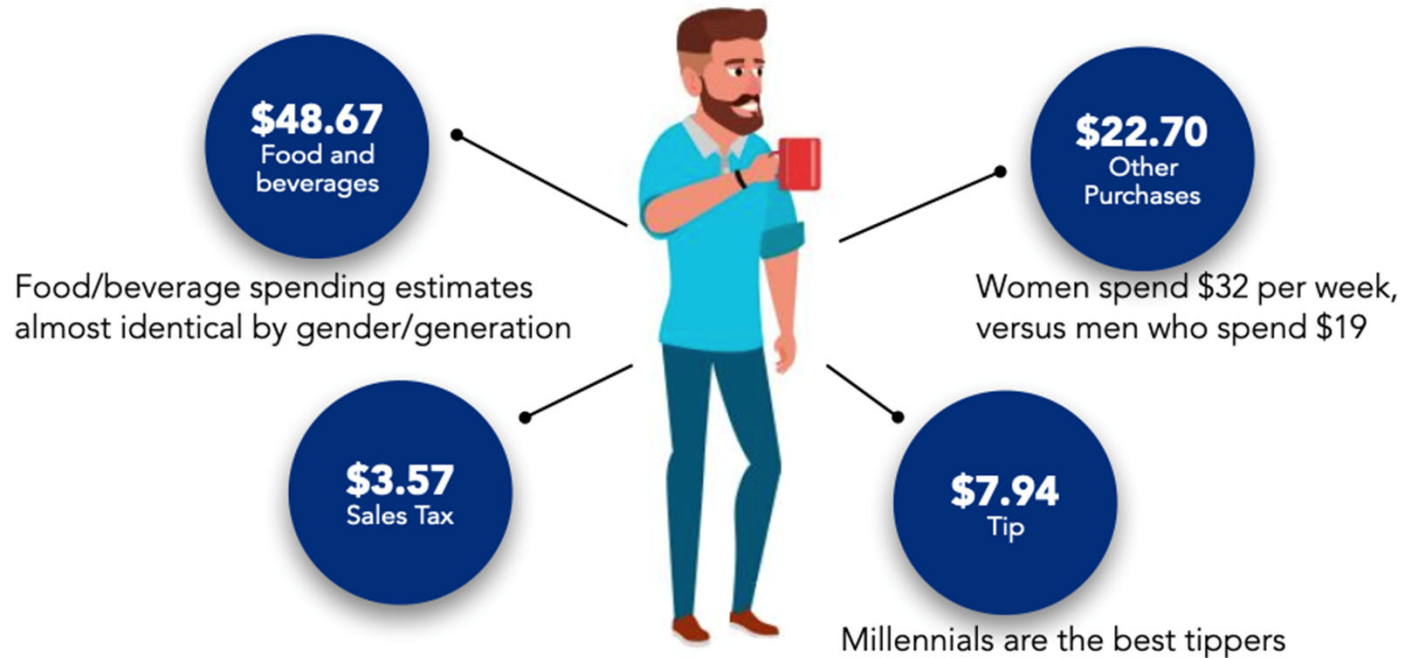
	Current Office Space	Current Employees
	Sealaska Plaza	10
	Municipal Way Building	33
	Seadrome Building	6
	Marine View Building	50
	Existing City Hall	65
	Total	164 staff

Annual spending by CBJ workers in downtown Juneau during workday

■ **\$706,782**

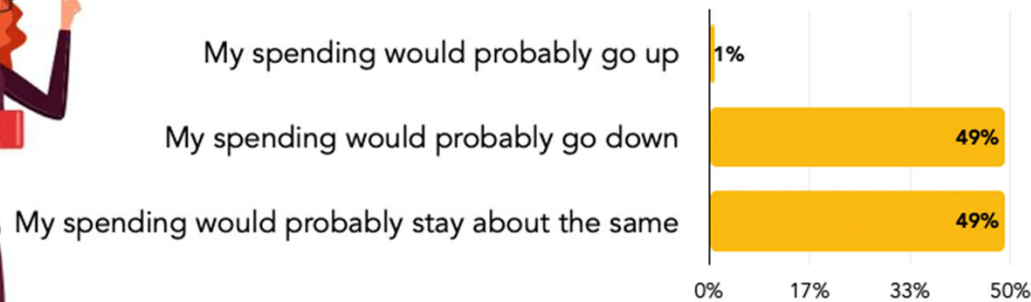
- Annual spending by 164 workers (includes tax and tip)
- CBJ workers were asked to make estimates regarding their non-pandemic work week expenditures.

CBJ worker average weekly downtown spending associated with workday



= \$82.88 weekly per person

If your job were moved to a location without pedestrian access to food, beverages, and shopping options during the day, how do you think your spending might change?



CBJ workers who said their spending would probably stay about the same tend to spend significantly less than those who say their spending will go down.

Based on an analysis of current spending and projected spending habits, CBJ workers will likely spend **47% less** on average in workday related spending if moved away from downtown

Projected spending decrease by CBJ workers if no pedestrian access to food, coffee, shops

- **-47.17%** Or an annual decrease of **-\$333,406**
- 30-year impact of moving City Hall to area with no pedestrian shopping/food access
 - **-\$13.5 million** - total change in Juneau 30-year spending
 - **-\$28.7 million** - total change in **downtown** Juneau 30-year spending
 - Assumes 2% annual inflation

30-year impact of moving City Hall to area with no pedestrian shopping/food access

Year	Less spending in Juneau	Less spending in downtown Juneau	% change
1	-\$333,406	-\$706,782.00	
2	-\$340,074.49	-\$720,917.64	2%
3	-\$346,875.98	-\$735,335.99	2%
4	-\$353,813.50	-\$750,042.71	2%
5	-\$360,889.77	-\$765,043.57	2%
6	-\$368,107.56	-\$780,344.44	2%
7	-\$375,469.71	-\$795,951.33	2%
8	-\$382,979.11	-\$811,870.35	2%
9	-\$390,638.69	-\$828,107.76	2%
10	-\$398,451.46	-\$844,669.92	2%
11	-\$406,420.49	-\$861,563.31	2%
12	-\$414,548.90	-\$878,794.58	2%
13	-\$422,839.88	-\$896,370.47	2%
14	-\$431,296.68	-\$914,297.88	2%
15	-\$439,922.61	-\$932,583.84	2%
16	-\$448,721.06	-\$951,235.52	2%
17	-\$457,695.49	-\$970,260.23	2%
18	-\$466,849.40	-\$989,665.43	2%
19	-\$476,186.38	-\$1,009,458.74	2%
20	-\$485,710.11	-\$1,029,647.91	2%
21	-\$495,424.31	-\$1,050,240.87	2%
22	-\$505,332.80	-\$1,071,245.69	2%
23	-\$515,439.46	-\$1,092,670.60	2%
24	-\$525,748.24	-\$1,114,524.02	2%
25	-\$536,263.21	-\$1,136,814.50	2%
26	-\$546,988.47	-\$1,159,550.79	2%
27	-\$557,928.24	-\$1,182,741.80	2%
28	-\$569,086.81	-\$1,206,396.64	2%
29	-\$580,468.54	-\$1,230,524.57	2%
30	-\$592,077.92	-\$1,255,135.06	2%
Total	-\$13,525,656	-\$28,672,788	

CBJ Sales Tax Paid in Connection to Work Location

- Taxes generated downtown annually by CBJ workers during workweek downtown = **\$30,430**
- Change in taxes collected if no pedestrian shopping available - annually for CBJ workers = **-\$14,354**
- 30-year sales tax impact of moving City Hall to area with no pedestrian shopping/food access = **-\$582,346**
- Assumes 2% annual inflation

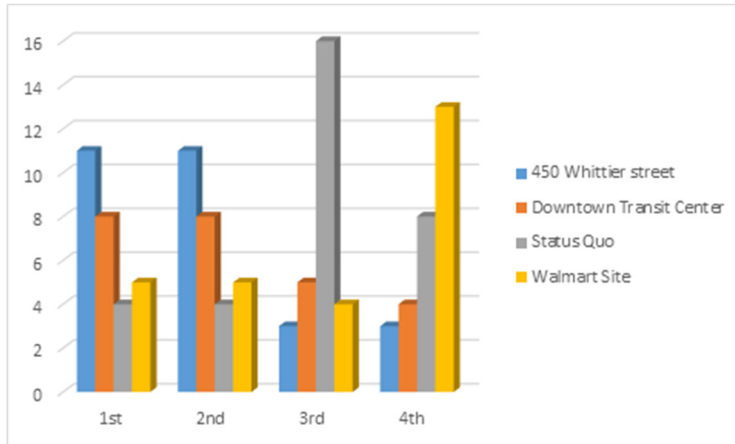
30-year sales tax impact of moving City Hall to area with no pedestrian shopping/food access

Year	Reduced sales tax benefit	% change
1	-\$14,354.79	
2	-\$14,641.89	2%
3	-\$14,934.73	2%
4	-\$15,233.42	2%
5	-\$15,538.09	2%
6	-\$15,848.85	2%
7	-\$16,165.83	2%
8	-\$16,489.15	2%
9	-\$16,818.93	2%
10	-\$17,155.31	2%
11	-\$17,498.41	2%
12	-\$17,848.38	2%
13	-\$18,205.35	2%
14	-\$18,569.46	2%
15	-\$18,940.85	2%
16	-\$19,319.66	2%
17	-\$19,706.06	2%
18	-\$20,100.18	2%
19	-\$20,502.18	2%
20	-\$20,912.22	2%
21	-\$21,330.47	2%
22	-\$21,757.08	2%
23	-\$22,192.22	2%
24	-\$22,636.06	2%
25	-\$23,088.79	2%
26	-\$23,550.56	2%
27	-\$24,021.57	2%
28	-\$24,502.00	2%
29	-\$24,992.04	2%
30	-\$25,491.88	2%
Total	-\$582,346	

Summary of City Hall Site Selection January 26th Public Forum

A public forum on city hall site selection was held January 26th from 6-7:30. Forty-seven people attended, excluding panelists. The meeting was an hour long presentation where staff answered the questions below as they were received through chat. There was additional public testimony and chat questions/comments after the presentation.

The presentation ended with a straw poll asking participants to rank their 1st, 2nd, 3rd and 4th choice. The first and second choice was 450 Whittier, with DTC as a second. However, it is important to note this was a small sample size.



Public testimony included:

Concern regarding moving City Hall away from the downtown area was mentioned by several participants. The Downtown Business Association stated based on a study and adjusting for inflation and the Juneau location, the cost would be \$7,000 annually.

Another concern was to be sure the City maintains a strong presence for keeping the Capital in Juneau. Moving city offices outside of downtown may give fodder to moving the Capital to another location.

Angie Nolan – Walmart Representative stated the land lease doesn't start until June 2025 so annual lease payment of \$271,000 wouldn't start until then. The land may be available for sale. The City may contact her regarding this. People have shared other potential uses with her: Lemon Creek Fire Station, Child Care Facility, expansion of some of the Hospital Facilities, leasing portions of the building to other businesses. If the land were purchased, it could be subdivided and sold for other uses such as housing or new businesses. The discussion is not over. She would love to answer questions. The possibility of purchasing the land is out there. She does not have an estimated value of the land. Even if the City leases the land the owner would still pay property taxes.

Written questions, answers and comments below

C: Considering the fact that the majority of the public voted for the city hall being in Lemon Creek and realizing that the Walmart building is a bad idea shouldn't the first place to consider putting City Hall be put there? How about across from Western Auto? The police station and the city shop have both been moved to Lemon creek. A MAJOR consideration should be the downtown parking problem would be solved by moving City Hall out of downtown.

Q: The Comprehensive Plan used to require that city hall be kept downtown. Does it still have that requirement?

A: There is no mandate for city hall being downtown, but there are multiple plans that talk about downtown as the center of government and strategies for keeping it vibrant, which is in line with a city hall downtown.

Q: Why is a parking garage needed for the Whittier site and it appears no additional parking is planned for the transit center site?

A: Parking would need to be evaluated for all 3 downtown sites (DTC, 450 Whittier and status quo), and is still a problem with the status quo option. Parking was mentioned as an advantage for 450 Whittier because a floor of parking could be built underneath and/or shared parking with centennial hall.

C: Walmart is part of Lemon creek it should be added to the Lemon Creek number

A: This question referenced the fact that 32% of the people who chose to recommend a site in the survey selected Walmart and 20% selected Lemon Creek. It was explained that people were allowed to selected more than one site option, so the numbers could not be added.

Q: Does the old WalMart building test fit include all City Hall Functions "fit" into the existing building (i.e. from all five of the current City Hall Function locations)?

A: Architect showed a slide that reflected how the space needs would occupy 1/3 of the vacant building

Q: Building on top of the transit center will be logistically challenging with no laydown area or room for additional equipment vs the other sites. Is this taken into the cost considerations?

A: Yes. This build has multiple challenges that were considered in the rough order of magnitude cost estimate.

C: I don't mean to be rude but I think separating Lemon creek from people selecting Walmart is manipulation or the numbers. The city could look at buying the parking lot since the building is on leased land. The parking lot is twice as big as needed. I can see that 450 Wittier is already selected.

Q: Could the Walmart site be purchased instead of leased? I am worried that appearance was so low on the list by participants who took the survey. We live in such a beautiful area and we have a lot of awful looking buildings but I assume we can be assured whatever is built will be something that fits our area.

A: The lot is currently not for sale, but based on assessed value and commercial sales in the area, an estimate on value is \$10M.

C: Another study by Donovan Rypkema, President and CEO, a Washington, D.C.-based consulting firm, says public buildings boost a downtown's economy. City Government offices can be a boon. "A downtown worker will spend between \$2,500 and \$3,500 a year in the downtown economy,"

Place Economics <https://www.placeeconomics.com/>

Question comment from Duff Mitchell. A Downtown Business Association Board Member

A: Those impacts will be considered in the economic analysis

Q: Is there a cost developed for adding parking to the transit center site?

A: Very rough numbers put two floors of parking at DTC at \$9.6M

Q: I meant to go with the proposed new offices

A: Parking options will continue to be flushed out as site selection proceeds.

Q: When considering the Walmart site, was there any discussion about the potential of expanding the scope to include other City uses that are not in those 5 downtown sites? i.e. Mt Jumbo, Thane Warehouse, etc...?

A: Alternative uses have been brought up by the public and seller (childcare, office space, fire station) however expanding the space that would need to be renovated would significantly grow the cost of the project, and potentially expand city services which is a larger conversation.

Q: Have you considered converting the old city hall into the city museum? A: No

Q: Downtown parking is a major concern. The Planning Commission is asking the Assembly to look at eliminating most required parking for future development. Thus any parking increases in downtown will fall on all citizens. Where is CBJ looking at putting new parking if not another garage?

A: Parking garages are the most likely solution to downtown parking. Surface parking is just too valuable for development. This includes looking at additional floors of parking at DTC and renovations to the North State Office Building parking garage.

C: Top choices should have one listed as none of above.

A: This is in response to the poll that asked people to rank their preferred sites. It was explained that status quo is the do nothing option.

Q: Anecdotally I know that if people have to park more than 50-100 feet from their destination, they perceive this to be a "long" distance. Proximity of the city hall to downtown is similarly an important metric for a vibrant downtown. How are you taking this economic impact into consideration?

A: An economic impact analysis will be performed on the top two sites that will take those variables into consideration.

C: JEDC did a study of winter business travel and most persons coming in winter stay downtown and are there for government business. Government (City, State, Tribal) is major driver of economy for downtown. We don't want tourism to take over in summer and for downtown be vacant in winter.

Q: If CBJ Leases the Walmart Bldg, how does that remove it from Property Tax Rolls? Doesn't the owner still pay property tax on it?

A: The building would be removed from property tax rolls, but the underlying property would still be taxed (estimated loss of tax revenue is just under \$100,000 annually)

Email:

Received 1/31/22 – Jeannette Pursell stated she preferred the Walmart location because of the ample parking, central location, opportunity to incorporate a recreation center, close to police station, would increase economic opportunities in the area.