Minutes

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Michael LeVine, Chairman

October 26, 2021

I. 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 7:02 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; Adrienne Scott, CDD Planner, Sherri Layne, Law
Assembly members:	Alicia Hughes-Skandijs; Loren Jones

II. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA

Mr. Voelckers asked when the formal land acknowledgement would be added as an agenda item. Mr. LeVine said it is part of the Rules of Order to be taken up as Other Business at this meeting. Mr. Voelckers added the CIP committee will also be mentioned at Other Business.

III. APPROVAL OF MINUTES

A. Draft Minutes September 14, 2021 Planning Commission Committee of the Whole Meeting

MOTION: *by Mr. Voelckers to approve the September 14, 2021 Planning Commission Committee of the Whole Meeting minutes.*

B. Draft Minutes September 28, 2021 Planning Commission Regular Meeting

MOTION: *by Mr. Voelckers to approve the September 28, 2021 Planning Commission Regular Meeting minutes.*

At Ease due to technical difficulties 7:08 P.M. – 7:11 P.M.

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

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

VI. **ITEMS FOR RECONSIDERATION** – None

VII. **CONSENT AGENDA** – None

VIII. **UNFINISHED BUSINESS** – None

IX. **REGULAR AGENDA**

USE2021 0009:	A Conditional Use Permit for an accessory apartment on an undersized lot
Applicant:	Northern Lights Development
Location:	1500 Glacier Avenue

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow the development of an accessory apartment on an undersized lot at 1500 Glacier Avenue in a D5 zone.

Disclosures of possible conflicts:

Prior to staff presentation, Mr. LeVine disclosed he lives nearby the property in question. He has no financial interest and feels he can be impartial. Mr. Voelckers disclosed he owns a business in a building directly across the street from the property in question. He does not know the applicant, nor does he have any financial or other interest in the property and feels he can remain impartial. Mr. Arndt disclosed he has worked with the applicant on other projects. He has no interest, financial or otherwise, in this property and feels he can be impartial. All members were allowed to remain.

STAFF PRESENTATION by Adrienne Scott, CDD Planner

QUESTIONS FOR STAFF

Vice Chair Dye asked for clarification of what was being approved regarding parking on the lot as it appeared two versions had been submitted. Ms. Scott explained the applicant had provided an incorrect version earlier but the site plan in the presentation packet shows the corrected version with two parking spots on the side of the garage.

APPLICANT PRESENTATION – Not in attendance. No presentation.

PUBLIC COMMENT – Ken Platt, 1220 Glacier Avenue, spoke to say he felt conflicted about the permit. The 'grandmother flat' is a good thing but he was concerned that the traffic into and out of the property would be difficult and would have an impact on safety in the area. He was also concerned that the building is in an historic district.

CONTINUED QUESTIONS FOR STAFF

Regarding Mr. Platt's traffic safety concerns, Mr. Arndt asked Staff whether the Engineering Department had reviewed the plan and approved the location of the parking spaces from the intersection. Ms. Scott confirmed they had.

Ms. Maclean spoke to Mr. Platt's comment about the property being in or near a historic district saying in Juneau, there are not restricted by architectural design restrictions regarding historic areas.

Commissioner Winchell thought the location and design are a good use of the area and he is in support of the permit.

MOTION: *by Mr. Dye to accept staff's amended findings, analysis and recommendations and approve USE2021 0009 adding a condition that parking must satisfy code.*

The motion passed with no objection.

X. BOARD OF ADJUSTMENT – None

XI. OTHER BUSINESS

A. Rules of Order

Mr. Voelckers opened the discussion by acknowledging Director Maclean and staff for their work on the Rules document.

Mr. Arndt referenced Rule 11 B regarding the deadline for timely submission for packets and asked if there was an email address or other reference that should be added. Ms. Maclean was not opposed to the suggestion but had a concern that if the email address were to change it could be missed in the rules. She added that there are multiple instances in which the public is informed of how to contact CDD electronically. Mr. Dye asked if she was aware of any instance whereby a public member had difficulty finding how to submit public comment either electronically or in person. Ms. Maclean said she was not aware and added that when a submission comes in after the deadline, the public member is informed how to participate in the meeting.

Mr. Voelckers asked what steps would be taken to implement the rules and when they would take effect once they are adopted. Mr. Levine said once they are passed, staff will get it signed and the rules will take effect as of the next meeting. The land acknowledgement would be added to the agenda of the next meeting.

Ms. Maclean noted the date of adoption on the document needed to be changed from October 12 to October 26, 2021.

Ms. Cole spoke to the deadline of 8:00 a.m. of the day of the meeting (Rule 11 C). She felt that by allowing submission on the day of the hearing there is no incentive for people to submit timely. Mr. LeVine explained someone submitting that late would have to come to the meeting in order for their comments to be included. Mr. Winchell said his understanding was that late submissions would be provided electronically and would be forwarded to PC members to minimize impact on staff workloads on the day of meetings.

Mr. Dye recalled an instance in the past when there was no deadline or limit on number of pages for late submissions and someone had submitted a 120-page document just hours before the meeting. The rule as proposed limits it to two (2) pages and he feels that would not be overly burdensome on staff or Commission members. Mr. Voelckers understood Mr. Dye and Ms. Cole's perspectives and said he felt limiting it to two pages is a good compromise. Ms. Maclean asked how to ensure the person attends the meeting if they may be attending remotely. Mr. Dye suggested changing the end of Rule 11C as follows:

> *…illustrative material**.** ~~if appearing remotely,~~ **Or may** email the material to the Community Development Department no later than 8 AM the day of the hearing.*

Mr. Arndt was concerned that the amendment would change the original intent of the rule from one requiring people with late submissions to attend the meetings to something similar to Ms. Cole's concern whereby the time limit for submissions is meaningless. However, he also said he would rather hear from the public than not so he would support the change. Mr. Winchell said that while it could happen, he did not expect it to be a common occurrence.

Mr. LeVine did not agree with the amendment saying this would negate the purpose of the late material rule. He added the intention is for people to attend and provide testimony in order for their submissions to be included on the record and this should be the case whether attending in person or virtually. Mr. LeVine thought a change he could support would be to make it allow for someone attending in person to submit either by providing 15 hard copies OR by email. Mr. Voelckers agreed with Mr. LeVine.

Mr. Winchell pointed out it will be difficult to police who is in attendance especially if they do not want to testify. Mr. Dye said it is hard to tell who is attending remotely and he wondered if it would put extra burden on staff.

Mr. Arndt suggested changing Rule 11C as follows:

> *…and (2) ~~if~~ appearing ~~in person,~~ provide fifteen copies of the written and/or illustrative material; ~~if appearing remotely,~~ **OR** email the material to the Community Development Department no later than 8 AM the day of the hearing*

Summary of Changes to be made:

- Correct the date shown in the footer
- Amend Rule 11C to remove "if appearing in person" and "if appearing remotely"

MOTION: *by Mr. Pedersen to adopt the new Rules of Order subject to the two corrections as discussed.*

Roll Call Vote:

- ***Yes:*** *Pedersen, Cole, Arndt, Hickok, Winchell, Voelckers, Dye, LeVine*
- ***No:*** *(none)*

The motion passed 8-0 on Roll Call.
(Note: Mr. Alper did not participate in nor vote on this agenda item.)

As an additional item of Other Business, Mr. LeVine announced the CIP process is beginning and the CIP Committee will be getting started again soon.

XII. STAFF REPORTS

- Ms. Maclean reported the Assembly met and held a reorganization meeting and the new PC liaisons are:
  - Commission - Alicia Hughes-Skandijs
  - JCOS – Carole Triem
  - Lands, Housing, and Economic Development – Michelle Bonnet Hale

- The assembly approved the Honsinger rezone. Plat reviewer position has been approved to remain with CDD.
- The sign ordinance revision is moving quickly and is now at the Law department.
- Stream ordinance work and the anadromous stream catalog is continuing and will be discussed at the Title 49 meeting.
- The ADOD ordinance will be coming back to the PC soon.
- New hires within the Department include a new permit tech and a new admin assistant.
- Administrative Officer Meredith Savage is leaving the department later this week
- Permit center is closed on Fridays to allow staff time to review permits and catch up

Mr. Voelckers asked about the status of Downtown Parking. Ms. Maclean said she would check with Ms. Gallion and would get back to him on that and there would be an update at the Title 49 meeting.

XIII. COMMITTEE REPORTS

Mr. Dye reported Title 49 meets this week. Blueprint met and are reviewing the tables. The Mayor's Housing and Development Taskforce met twice and they have made some recommendations for opting out of pre-application conferences in some situations and will meet again this week to discuss CDD workload and prioritization and the mayor's memo regarding possibly reorganizing the Planning Commission.

Mr. Pedersen reported Douglas/West Juneau steering committee met and will be having meetings every 2-3 weeks.

XIV. LIAISON REPORTS

Ms. Hughes-Skandijs reported Public Works and Facilities will be chaired by Wade Bryson. She is looking forward to attending the meetings.

Mr. LeVine spoke to thank Mr. Jones for his years of service to the PC and the Assembly

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

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

Mr. Dye asked staff to make sure all Commissioners receive the email with the agenda and zoom link for the Housing Development Task Force meeting in case they would like to attend. Additionally, he asked if the downtown warming shelter would come before the PC before it opens. Ms. Maclean confirmed all legal notice deadlines have been met and it would be on the agenda for the next meeting.

XVII. EXECUTIVE SESSION – None

XVIII. ADJOURNMENT – 8:19 P.M.