Minutes
Planning Commission
Regular Meeting
CITY AND BOROUGH OF JUNEAU
Michael LeVine, Chairman
January 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 7:01 p.m.

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

Commissioners absent:

Staff present: Jill Maclean, CDD Director; Irene Gallion, CDD Planner; Sherri Layne, LAW;

Assembly members: Loren Jones, Deputy Mayor

MOTION: *by Commissioner Dye to suspend the rules for this meeting and operate under the suspended rules and modified suspended modified rules dated September 8 due to COVID-19.*

II. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA - None

III. APPROVAL OF MINUTES

A. December 15, 2020 Draft Minutes – Committee of the Whole Planning Commission Meeting

MOTION: *by Commissioner. Voelckers to approve the Planning Commission Regular Meeting December 15, 2020 minutes.*

IV. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION – Chairman LeVine briefly explained the rules for participating via Zoom format

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

VI. ITEMS FOR RECONSIDERATION - None

VII. CONSENT AGENDA

~~**CSP2020 0012:** Complete street and underground utility maintenance (and replacements as necessary) and addition of a sidewalk to one side on Crest Street~~
~~**Applicant:** City and Borough of Juneau~~
~~**Location:** Crest Street~~
Moved to Regular Agenda by request of Mr. Voelckers.

VIII. UNFINISHED BUSINESS - None

IX. REGULAR AGENDA

CSP2020 0012: Complete street and underground utility maintenance (and replacements as necessary) and addition of a sidewalk to one side on Crest Street
Applicant: City and Borough of Juneau
Location: Crest Street

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and forward a recommendation of **APPROVAL** to the CBJ Assembly for the Crest Street Reconstruction project.

Staff Presentation
Planner Gallion gave a brief description of the project.

Questions for Staff
Mr. Voelckers asked for clarification of the agreements between the CBJ, the property owners and environmental agencies. Ms. Gallion explained that CBJ funds would not be used for improvements on private property but we will be accommodating those improvements. For example, if there is water overflow from the Nugget Mall parking area, there is somewhere for it to go. CBJ is looking at design features that will route water from Crest Street to ditches on the east side and then flow into Jordan Creek.

Mr. Dye asked about the construction standards waiver process and the unique circumstances regarding the bioswales versus standard culvert pipes. Ms. Gallion deferred to the applicant saying they might be able to provide clarity on the project.

Mr. Voelckers asked about the correspondence received from Valley Lumber whereby they are requesting compensation to make up for the loss of fifteen parking spaces that will result from the project. Ms. Gallion answered that CDD has contacted the business owner and found the employees are parking alongside the road in what should be drainage areas. She added the CBJ is not responsible for providing parking spaces for private businesses.

Applicant Presentation
Alec Venechuk, CBJ Engineering, explained the project and the design of the bioswale ditches.

Questions for Applicant
Mr. Voelckers asked how likely it is that the environmental goals will be met. Mr. Venechuk explained they will meet the goals easily.

Public Comment
John Hudson – Restoration biologist at the Southeast Alaska Watershed Coalition – Mr. Hudson explained Jordan Creek is on the list of impaired water bodies. One of the main issues affecting the water quality is storm water runoff from parking lots and streets into the creek. There are high levels of zinc, copper, and lead in the streambed that exceed safe levels for the aquatic life in the creek. They are working to remove the sediment pollutants. They have met with CBJ staff and DOWL Engineering and this will do a lot to help treat the storm water.

Mr. Dye asked about best practices for the mitigation (rock sizes, textile barrier). Mr. Hudson explained he was not prepared to answer to specific rock sizes but a coarse wash rock would work.

Additional Applicant Comments – None

Questions for Applicant –
Mr. Dye asked about the removal of culverts from the project because e they were deemed too expensive and asked whether that is still part of the project or not. Mr. Venechuk answered they are trying to cut costs where possible and removing the culverts from the project and using crown in the roads or other mitigation steps are also options. However, they do not know at this point if those options are feasible throughout the project area.

Mr. Voelckers asked about the contributory load from adjoining property on the western side. Mr. Venechuk said they are looking to capture that runoff in catch basins into a storm pipe.

Mr. Voelckers asked if the majority of the runoff is coming from the west or east side. Mr. Venechuk believes the most is coming from Nugget Mall.

Mr. Dye asked why it was decided to position the bioswale the east rather than the west side.

Mr. Venechuk answered it is mainly a public safety issue. Since the majority of the foot traffic occurs on the west side with the new glory hall, St. Vincent's, and the airport, if they were to put the bioswale on the west side, then the sidewalk would have to be on the east side and they would have to install crosswalks and other features to move the pedestrians through the area.

<u>Additional Questions for Staff</u>
Mr. Dye asked what the certainty is that the final project will conform to the staff report. Ms. Gallion explained there will be a bioretention ditch on that side. The details have not been ironed out but it will be there.

<u>MOTION:</u> *by Mr. Voelckers to accept staff's findings, analysis and recommendations and approve **CSP2020 0012**.*

Mr. Voelckers spoke to say this is a good project saying the sidewalk is an exciting addition. He emphasized the importance of the drainage improvements to Jordan Creek.

Mr. Dye spoke in support of the motion and stressed the importance that the final project should convey as much water from West to East as possible.

Mr. LeVine echoed support for the motion and supports the efforts to contain runoff.

The motion passed with no objection.

USE2020 0025 and **PWP2020 0004** were presented together.

Prior to presentation of **USE2020 0025** and **PWP2020 0004**, Mr. LeVine disclosed he is friends with the applicants of the following Permits but could be fair and impartial. He was allowed to remain.

Ms. Cole disclosed she is also friends with the applicants of the following Permits but could be fair and impartial. She was also allowed to remain.

USE2020 0025:	Conditional Use Permit for an accessory apartment on an undersized lot
Applicant:	Olivia Sinaiko & Charles Renick
Location:	615 East Street

<u>Staff Recommendation</u>

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE WITH CONDITIONS the requested Conditional Use Permit. The permit would allow the development of an accessory apartment on an undersized lot.

The approval is subject to the following conditions:

1. Prior to issuance of a building permit, the applicant must submit documentation to demonstrate that all applicable parking code requirements have been met, in conformance with CBJ 49.40.210.

PWP2020 0004:	Parking waiver of one space for an accessory apartment
Applicant:	Olivia Sinaiko & Charles Renick
Location:	615 East Street

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested parking waiver. The permit would waive one (1) required parking space for an accessory apartment.

Ms. Maclean presented **USE2020 0012** and **PWP2020 0004** together.

Applicant Presentation

Olivia Sinaiko and Charles Kiel Renick explained the project will make no exterior changes to the structure. All of the work is to the interior. Ms. Sinaiko added there is plentiful parking in the area around their home.

Public Comment

Christy Howard – Ms. Howard and her husband live at 619 East Street (next door to the subject residence). Ms. Howard feels the accessory apartment will be a benefit to the neighborhood. She agreed that parking is not an issue and she is not concerned by the parking waiver.

Colin Shanley – Mr. Shanley lives at the base of East Street and said he supports the project as well.

Shawn Eisele – Mr. Eisele called to offer support for the project.

Questions for Applicant or Staff

Mr. Dye mentioned for the record that the Commission had received a letter from the public that was not supportive of the requested permit or the parking waiver.

MOTION: *by Mr. Dye to accept staff's findings, analysis and recommendations and approve **USE2020 0025**.*

The motion passed with no objection.

MOTION: *by Mr. Dye to accept staff's findings, analysis and recommendations and approve **PWP2020 0004**.*

The motion passed with no objection.

X. BOARD OF ADJUSTMENT - None

XI. OTHER BUSINESS –

COVID rules – Ms. Maclean presented an amendment to extend the COVID rules related to using Zoom, deadline for materials and public comment through June 30, 2021.

MOTION: *by Mr. Arndt to approve and adopt extension of COVID operating procedures through June 30, 2021*

The motion passed with no objection.

Subcommittee assignments – Mr. LeVine explained that commissioners should email him with their preferences for committees and liaison positions on which they would like to serve. At this time, Mr. LeVine appointed Ms. Cole to the Title 49 Committee.

XII. STAFF REPORTS

Ms. Maclean reported

- Title 49 will meet at Noon on Thursday. Topics will include the downtown parking draft ordinance
- South Douglas/West Juneau Steering Committee will meet tomorrow at 5:00 pm via Zoom
- This year's annual COW training meeting will be replaced by the February 21 American Planning Association of Alaska zoom training
- The Calhoun Avenue CSP has been forwarded to the Public Works and Facilities Committee (PWFC) for consideration

XIII. COMMITTEE REPORTS

- Mr. Dye reported Title 49 is meeting Thursday to discuss Parking
- Mr. LeVine reminded members of the Governance meeting next Wednesday

XIV. LIAISON REPORTS

Deputy Mayor Jones reported

- The Assembly COW accepted the visitor industry task force report.
- The Conditional Use Permit Appeal for Tlingit and Haida has been accepted by the Assembly. It is before a hearing officer. No timeline yet.

- Calhoun Project has moved to PWFC is on the agenda for Monday.
- Governor has issued an extension to the State Emergency order to September. It is awaiting Legislature approval.
- Title 49 has been updated to cover requirements for a business to renew a marijuana license

Mr. Arndt asked about the status of the Cell Phone tower appeal. Mr. Jones had thought that was done. He thought they had found for the PC.

Mr. Dye asked about the marijuana sunset date on the conditional use permits. Mr. Jones answered that it has not moved forward.

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

XVI. **PLANNING COMMISSION COMMENTS AND QUESTIONS** –

Mr. Arndt asked if they are just doing the State training in February, will there be no local training? Mr. LeVine answered they were planning to forego the usual training but it would be something to discuss at a Governance Committee meeting and he would welcome commissioner thoughts and comments. Mr. Voelckers thought it would be a good topic for the Governance Committee.

XVII. **EXECUTIVE SESSION** - None

XVIII. **ADJOURNMENT** – 8:18 p.m.