

Minutes
Planning Commission
Regular Meeting
CITY AND BOROUGH OF JUNEAU
Michael LeVine, Chairman
January 12, 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, Assistant Clerk; Ken Alper; Dan Hickok; Mandy Cole; Josh Winchell; Erik Pedersen

Commissioners absent: None

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

Assembly members: Loren Jones

Motion: by Vice Chairman Dye to operate under COVID rules as effective 9/8/2020.

The motion passed with no objection.

Ms. Layne swore Mandy Cole into the Commission

II. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA –

Motion: by Mr. Dye to add an item to the Agenda (III) to appoint new Committee Officers.

The motion passed with no objection.

III. APPOINTMENT OF NEW OFFICERS

Motion: by Mr. Dye to name Michael LeVine Chair.

Motion: by Mr. LeVine to amend Original Motion to continue all officers in their current positions.

The motion to amend passed with no objection.

The amended motion passed with no objection.

IV. APPROVAL OF MINUTES

A. December 8, 2020 Draft Minutes – Planning Commission Regular Meeting

MOTION: by Mr. Voelckers to approve the Planning Commission Regular Meeting December 8, 2020 minutes.

The motion passed with no objection.

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

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

VII. ITEMS FOR RECONSIDERATION - None

VIII. CONSENT AGENDA

USE2020 0024: Conditional Use Permit for a marijuana retail store
Applicant: The Mason Jar LLC
Location: 613 & 619 W. Willoughby Ave.

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Special Use Permit. The permit would allow the development of a marijuana retail facility.

The approval is subject to the following conditions:

1. All waste containing marijuana product shall be stored in a locked enclosure until transported to the CBJ landfill.
2. Prior to the issuance of a temporary certificate of occupancy, the applicant shall install screening to ensure no marijuana product is visible to the general public from the right-

of-way.

3. Prior to operation, the applicant must receive the required State License; by approval of this special use permit, the Planning Commission does not take a position as to whether the application to the State satisfies the requirements of the State License, including if the facility is within 500 feet of a school.

MOTION: *by Mr. Dye to accept staff's findings, analysis and recommendations and approve USE2020 0024.*

The motion passed with no objection.

~~**SMP2020 0003:** Modification of plat of Pederson Hill subdivision to eliminate restrictions on driveways on to Karl Reishus Blvd.~~

Moved to Regular Agenda by request of Mr. Arndt

~~**ARP2020 0001:** Preliminary Plan Approval for an Alternative Residential Subdivision creating 15 lots~~

Moved to Regular Agenda by request of Mr. Dye

~~**SMP2020 0004:** Preliminary Plat Approval for an Alternative Residential Subdivision creating 15 lots~~

Moved to Regular Agenda by request of Mr. Dye

CSP2020 0009: Complete street and underground utility maintenance (and replacement as necessary) on 4th Street, Delta Drive, and Tongass Boulevard.

Applicant: City and Borough of Juneau

Location: 4th Street (in Douglas), Delta Drive, Tongass Boulevard

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and forward a recommendation of **APPROVAL WITH CONDITION** to the CBJ Assembly for the proposed complete street and underground utility maintenance (and replacements where necessary) for Delta Drive, Tongass Boulevard, and 4th Street in Douglas.

Condition #1: CBJ Engineering and Public Works must submit a hydrologic or hydraulic analysis to the Flood Plain Manager indicating that reconstruction of Tongass Boulevard would not result in increase in flood levels during the occurrence of a base flood discharge. The analysis will be conducted by an engineer licensed in the State of Alaska, in accordance with standard engineering practices acceptable to the Federal Emergency Management Agency.

MOTION: *by Mr. Dye to accept staff's findings, analysis and recommendations and approve CSP2020 0009.*

The motion passed with no objection.

Prior to introduction of CSP2020 0010, Mr. Pedersen declared he has a financial or other conflict and would not participate on this item. There was no objection and he did not participate on that item.

CSP2020 0010: Resurface Vanderbilt Hill Road from Glacier Highway/Lemon Road to Egan Drive
Applicant: State of Alaska
Location: Vanderbilt Hill Road from Glacier Highway/Lemon Road to Egan Drive

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and forward a Notice of Decision of **APPROVAL** to the CBJ Assembly for the State Project Review for Vanderbilt Hill Road Resurfacing.

MOTION: *by Mr. Dye to accept staff's findings, analysis and recommendations and approve CSP2020 0010.*

The motion passed with no objection.

IX. UNFINISHED BUSINESS - None

X. REGULAR AGENDA

ARP2020-0001 and **SMP2020-0004** were presented together

ARP2020 0001: Preliminary Plan Approval for an Alternative Residential Subdivision creating 15 lots

Applicant: Bicknell, Inc.

Location: 4090 Delta Drive

Staff Recommendation

Staff recommends the Planning Commission adopt the director's analysis and findings and APPROVE the preliminary plan for the Delta Drive Subdivision, an Alternative Residential Subdivision creating 14 unit-lots and one (1) parent lot. This permit would allow the applicant to submit for the final plan.

This approval is subject to the following conditions:

1. Prior to approval of the Final Alternative Residential Subdivision Plan, the applicant shall submit homeowners' association, or similar, documents that comply with the requirements of 49.15.950(b);
2. Prior to the issuance of the ~~first~~ eleventh temporary certificate of occupancy for the development, access to and within the development shall be paved;
3. Prior to the issuance of the first temporary certificate of occupancy, ~~each dwelling unit shall be connected to public sewer and water, and~~ a master meter for water shall be installed by the developer; and
4. Per CBJ 49.15.920(o), the final mailbox location shall be reviewed and approved by the CDD Director, and installed prior to the issuance of the first temporary certificate of occupancy.

SMP2020 0004: Preliminary Plat Approval for an Alternative Residential Subdivision creating 15 lots

Applicant: Bicknell, Inc.

Location: 4090 Delta Drive

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the preliminary plat for the Delta Drive Subdivision, an Alternative Residential Subdivision creating 14 unit-lots and one (1) parent lot. This permit would allow the applicant to submit for the final plat.

This approval is subject to the following conditions:

4. Prior to approval of the final plat, Certification from the CBJ Treasurer is required showing that all real property taxes and special assessments levied against the property for the year of recording have been paid.
5. Prior to approval of a final plat, the applicant shall submit a complete set of construction plans for all required improvements to the Community Development Department for review by the director of E&PW for compliance with CBJ 49.35.140.
6. Prior to approval of the final plat, the developer shall submit a final drainage plan to be approved by CBJ Engineering & Public Works. This drainage plan must be prepared by an Alaskan licensed engineer in accordance with CBJ 49.35.510.
7. Prior to approval of the final plat, the applicant shall submit a revised preliminary plat with the following revisions:
 - a. Add the following plat note:

i. ACCESS TO LOTS SHALL BE VIA ACCESS EASEMENTS SHOWN ON THIS PLAT AND IS SUBJECT TO THE REQUIREMENTS IN THE “[private common driveway access, utility, and maintenance agreement – edit title as appropriate]” RECORDED WITH THIS SUBDIVISION.

b. Show a five-foot perimeter buffer along the southwest lot line bordering Delta Acres Addition 1 Lot 8.

c. Include bearing labels for:

i. The eastern lot line of Lot 6

ii. The lot lines between lots 7 and 8 and 9 and 10

d. Per sheet C203, Grading Plan, a drainage easement should be added to the following locations:

i. Eastern side of the development in the 10-foot perimeter buffer

ii. Rear of Lot 11

8. Prior to the issuance of the first temporary certificate of occupancy, each dwelling unit shall be connected to public sewer and water, and a master meter for water shall be installed by the developer.

Prior to the issuance of the first temporary certificate of occupancy for the development, access to and within the development shall be paved.

Staff Presentation – Director Maclean presented **ARP2020 0001** and **SMP2020 0004**

Questions for Staff

Mr. LeVine clarified the questions staff referred to in the supplemental memo were questions posed by Commissioners and not agency comment or questions from the public. He continued to state, for the record, that it is not unusual to have some questions from Commissioners to CDD during the process.

Mr. Dye asked if each foundation must be plumbed prior to issuing the Temporary Certificate of Occupancy (TCO). Ms. Maclean explained that water, sewer and paving must be completed prior to the TCO being issued because CBJ is not permitted to and will not go onto private property to finish utility work or infrastructure work, including paving, once the TCO has been issued. Should anything happen or the developer not finish the work, the CBJ would not be able to come in. For that reason, they have the condition that the master meter for water, sewer connection, and paving should all be completed before a TCO will be issued.

Mr. Dye clarified his question stating that he was asking at which stage is a dwelling considered complete. Ms. Maclean said she wanted to be sure she understood the question and would get back to him on that.

Mr. Hickok asked if the project will be condos. Ms. Maclean it could be but for this project, the homeowners would privately own the land and the units built on them but would share ownership of the land for the parking lot.

Mr. Voelckers asked for clarification on condition number 6 saying he had understood the driveways would be graveled. Ms. Maclean said per Ordinance, they would be required to be paved.

Mr. Pedersen noticed the easement width proposed is 30 feet with 20 feet paved which is not in conformance with the table of roadway construction standards and asked to confirm if 49.15.920f is where that is allowed. Ms. Maclean said she would look up the reference during the Applicant Presentation.

Mr. Alper said this looks like a conventional subdivision and asked, “why is the applicant here?”. Ms. Maclean deferred to the applicant.

Applicant Presentation

David Blommer – Bicknell Inc. – Mr. Blommer explained a traditional subdivision would not have worked in the case of this project due to the driveway requirements. The ARS method would allow for residents to own their own land with an HOA for driveway and parking area

Commissioner Questions for the Applicant

Mr. Dye asked Mr. Blommer’s position on paving at the end of the project. Mr. Blommer explained it is not necessarily a cost issue but is a time restraint issue because before they could sell the first unit, the entire loop would need to be paved. Their preference would be to do a percentage approach to allow a number of units to be completed and paved rather than require all of them to be.

Ms. Cole asked if Mr. Blommer had any objection to condition of the paving requirement. Mr. Blommer answered they do not object but would prefer a phased, percentage or timeframe approach to the paving.

Public Testimony – None

Continuation of Questions for Staff

Ms. Maclean addressed the questions from earlier in the meeting. As per Mr. Dye's question regarding paving, she said she would leave that to the Commission to discuss. For the question regarding the water, sewer, and master meter, CDD would insist that prior to the first TCO, that the master meter for the water be installed. She explained the reason for this is because if it is not, there really is not any incentive once people start living there to connect into it as they will be receiving free water. The sewer, however, could be tied to each individual TCO.

Mr. Alper asked if there would be a single water meter for the subdivision and paid for by the HOA. Ms. Maclean answered that was correct and that is why they had the condition regarding the water meter be installed.

Ms. Maclean referred back to the question posed by Mr. Pedersen regarding the 49.15.920f Frontage and Access and explained that generally, the ARS only needs to comply with emergency access requirements found in CBJ Title 19.10. In this instance, the developer is proposing a 30-foot Right of Way for paving.

Mr. Arndt asked if including the requirement to have a paved roadway in the HOA documents provide the assurance the CDD is looking for. Ms. Maclean explained once the HOA is recorded, CBJ does not have authority to enforce the HOA.

MOTION: *by Mr. Dye to accept staff's findings, analysis and recommendations and approve **ARP2020 0001** with changes to Condition # 3 striking ", each dwelling unit shall be connected to public sewer and water, and" and changing Condition #2 replacing "first" with "eleventh structure".*

MOTION: *by Mr. Arndt to amend the original motion to replace "eleventh" to "final."*

Ms. Maclean spoke to remind the commission there have been issues where homeowners have lived on unpaved roads for a decade or more as the developer can choose to take as long as they want to complete a development.

Mr. Alper spoke against Mr. Arndt's motion.

Mr. Winchell spoke to say he would prefer Condition number 2 be fifty percent instead of the seventy-five percent suggested by Mr. Dye.

Mr. Dye spoke against Mr. Arndt's motion for the reasons stated by Ms. Maclean.

Roll Call Vote on the motion to Amend

Yes: Arndt, Hickok

No: Cole, Pedersen Alper, Winchell, Voelckers, LeVine, Dye

Motion Failed

Mr. Winchell spoke to say he is for phasing and he felt fifty percent (seven) would be preferable to the seventy-five percent (eleven) in Mr. Dye's motion. Mr. Winchell did not offer an amendment.

The original motion passed with no objection.

MOTION: by Mr. Dye to accept staff's findings, analysis and recommendations and approve **SMP2020 0004** with the changes in the correction memo of correction and changes in conditions consistent with those made to **ARP2020 0001**.

Mr. Winchell reiterated for the record that it is perceivable that a lower percentage would be advisable in this tenuous economy.

The motion passed with no objection.

SMF2020 0003: Modification of plat of Pederson Hill subdivision to eliminate restrictions on driveways on to Karl Reishus Blvd.
Applicant: City and Borough of Juneau
Location: Pederson Hill subdivision; Karl Reishus Blvd.

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested final plat. The permit would allow the final plat approval for the modification of the plat in a D10-SF zone to eliminate restrictions on driveways on to Karl Reishus Boulevard.

Staff Presentation - Ms. Gallion presented **SMF2020 0003**.

Questions for Staff

Mr. Voelckers asked how did CBJ get into this situation. Ms. Gallion answered this could be attributed to a time when different departments did not communicate completely with each other.

Mr. Dye asked if the process that came about was similar to what a developer would go through or was it special to CBJ because all of the departments involved are part of the same entity (CBJ). Ms. Gallion answered the process is comparable to what happens with other developers. She added a strong project manager more familiar with developing a subdivision might have noticed and addressed the issue earlier in the process. Ms. Maclean added the subdivision Ordinance was rewritten in 2015 which made changes to Chapter 35. As more projects come through by developers, we may see more of these.

Mr. Dye asked if they were to change from a major to a minor collector in the plat notes, would it then become consistent with code. Ms. Gallion explained that while a minor collector would be able to have driveways on it, the concern is the plat notes state driveway access is restricted without specifying the cause for the restriction being major/minor collector.

Mr. Hickok asked if the lots are already sold. Ms. Gallion answered that they have been. Ms. Maclean added CDD has been in close contact with all of the property owners and they are aware of the situation.

Mr. Winchell noticed undeveloped side streets in the plat and asked if there was intent to use those as access points. Ms. Gallion believed so but deferred to the applicant.

Mr. LeVine asked if it is fair to say there was an error made when the plat was originally approved or are we changing something ex post facto. Ms. Gallion said that is hard to say as they do not have clear history and records to support one way or the other. Ms. Maclean explained since the original plat, there is a new CDD Director, New Director of public works, new planners and they are trying to correct these going forward.

Mr. Arndt asked if they could not simply change the designation to a minor collector and then would the plat notes be correct. Ms. Maclean deferred to the Sponsor.

Applicant Presentation

Dan Bleidorn - CBJ Land Manager - Mr. Bleidorn explained he believes this was an error made during the planning process and it should have been a minor collector. His office has been working on this issue since October. They are requesting the road be made into a minor collector rather than a major collector as he believes it was improperly labeled when the Planning Commission originally approved it.

Questions for the Applicant

Mr. Winchell asked if the corner lots would still be accessible by the cutouts. Mr. Bleidorn

answered there are three lots in question and said the topography makes it difficult or dangerous for those to cut out on a side street.

Mr. Dye referred to the original Plat review and asked what the total potential build out was. Mr. Bleidorn answered that the original plat plan has proven a little unrealistic. It is not likely the lots will be built as originally planned.

Public Testimony

Dave Hanna – 11495 Mendenhall Loop – Mr. Hanna said they should keep driveways off of Karl Reishus Boulevard. He added that if this had been a private developer he did not think they would be awarded a variance easily and asked the PC to give the matter consideration before making a decision on this for the City.

Wayne Coogan – 3000 Fritz Cove – Mr. Coogan suggested the Engineering department study extending Yan street to allow the driveway cuts to go to side streets.

Commissioner Questions

Mr. Voelckers asked if Mr. Bleidorn agreed to Ms. Gallion's assessment that the road would not grow beyond a certain length. Mr. Bleidorn agreed saying it would be cost prohibitive to extend it further uphill.

Mr. Arndt asked why some of the driveways were treated as if this were a minor collector but other driveways were not. Mr. Bleidorn said he does not have a good answer to the question of how we got here. All of the documentation and construction drawings presented to the PC at the time it was originally approved showed the driveways where they were built.

Ms. Gallion explained the reason some of the driveways are on Karl Reishus Boulevard instead of Yan is because the land nearby is very steep.

Mr. Arndt commented that it felt like the CBJ is trying to get too many lots in there without considering appropriate land development and asked if Mr. Bleidorn agreed. Mr. Bleidorn answered he did not think they were trying to push through too many lots. Rather, it was an oversight and if they were to do it again, they may have made this a minor collector so the driveways could be built where they were.

Mr. Winchell asked if we were to extend the roads out, would it be perceivable to then allow conformity with the original plat. Mr. Bleidorn said extending the road could mean another plat amendment.

Mr. Winchell asked if Mr. Bleidorn is aware of the Davis area. Mr. Bleidorn was aware of that road and it is a minor collector.

Mr. Arndt said as a taxpayer he appreciates the cheap solution but asked if the CBJ departments had explored any other options and taken them off the table. If they had, what was considered and why were they not chosen. Mr. Bleidorn explained other options had been considered and this was not their first choice but this seemed the best way to correct the mistakes that were made.

COMMISSIONER QUESTIONS FOR STAFF

Mr. Dye asked for clarification for how to interpret the total build out capacity and how to define the road as major versus minor based on the application. Ms. Gallion was unsure but she said Phase one is eighty-nine units but Phases two and three are on steep uphill and she is not sure of the likelihood of those being built in the near future.

Mr. Arndt noted the plat notes and asked how did the CBJ give building permits allowing access through the right of way when it violates Code. Ms. Maclean reiterated that the current staff was not part of that approval process and had no more information they could add.

MOTION: *by Mr. Voelckers to accept staff's findings, analysis and recommendations and approve SMF2020 0003.*

Mr. Voelckers spoke in support of the motion saying the City has tried to be careful and judicious in this process and the requested corrections seem reasonable.

Mr. Winchell objected saying he believes this is a matter of resources and money to get other roads built. He added that while there was no malfeasance on the part of CBJ, if it were a private party making this request would it be approved?

Mr. Dye spoke against the motion stating he has concerns about the process and it seems there are feasible options to fix the lots by extending the road.

Mr. Arndt said he is torn on this issue saying he is leaning against the motion saying it feels like a developer building something and then coming for a variance after the fact.

Ms. Cole said she understands the request is to modify two specific plat notes to address the immediate problem. For that reason, she supports the motion.

Mr. Alper asked what would happen if the permit were to fail. Mr. LeVine said he remembers Mr. Bleidorn had said if that were to happen, they would work to find another option but he did specify Lot 11 was the biggest challenge.

Mr. LeVine spoke to say he believes they are fixing an error and will support the motion.

Roll Call Vote

Yes: Cole, Hickok, LeVine, Voelckers

No: Alper, Pedersen, Winchell, Dye, Arndt

Motion fails

At Ease - 9:32 p.m. - 9:43 p.m.

Mr. LeVine and Mr. Alper declared potential conflicts of interest but felt they could be fair and impartial. Both were allowed to continue.

CSP2020 0011: Complete street and underground utility maintenance (and replacements as necessary)
Applicant: City and Borough of Juneau
Location: Calhoun Ave.

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 Calhoun Avenue Reconstruction Project.
- **APPROVE** the waiver of road construction standards for the Calhoun Avenue Reconstruction Project.

Staff Presentation Ms. Gallion presented **CSP2020 0011**

Questions For Staff

Mr. Voelckers asked about the budget and if there had been analysis of if property could be acquired to widen the pinch points. Ms. Gallion deferred both questions to the applicant.

Mr. Dye asked how does the finances of CBJ affect the decision-making process. Ms. Gallion said it is not something she would normally bring up, but the current fiscal situation is pertinent.

Mr. Hickok asked if CDD is asking for approval with or without the study. Ms. Gallion answered she is asking for approval as presented.

Mr. Voelckers referred to the AASHTO waiver and asked what happens if the CBJ goes below the allowed minimums and then there is an accident? Is the CBJ liable? Ms. Gallion deferred to LAW. Ms. Layne offered to look into it if needed but did not have an answer on hand.

Mr. LeVine asked what does it mean that the project “won’t aggravate the intent” of the code and is this something the Director could approve it without the PC involvement. Ms. Gallion explained she does not believe this project aggravates the intent of Title 49. The Director could approve it if it did not require an AASHTO waiver. Because the AASHTO waiver is needed, it must come before the PC

Applicant Presentation

John Bohan, CBJ Public Works/Engineering, spoke to Mr. Voelckers' question regarding budget stating there is not an unlimited budget for the project. This is essentially an infrastructure rebuild project within the confines of the right of way.

Richard Etheridge, CBJ Fire Chief, said this section of roads have been a problem due to the steepness and narrowness making access with CCFR apparatus tricky.

Mr. Voelckers asked if the apparatus would fit through an eight-foot lane. Mr. Etheridge said the trucks are exactly eight feet wide so if they go slowly and very carefully, they can get through those areas.

Mr. Arndt asked about the possibility of a signal light that could be tripped by the emergency vehicles. Mr. Etheridge has not heard of any plans for that, if it was a possibility, he would like to consider it but currently there is nothing like that in CBJ.

Mr. Arndt asked Mr. Bohan about the estimated remaining life on the water and sewer system. Mr. Bohan said he recommends replacing it this year. It is a severe hazard that has already failed multiple times. The sewer system is also in a state of operational disrepair and needs to be replaced concurrently with the road repair.

Mr. Dye cited the Comp Plan and SOP 10.6 and asked when a project scope like this would typically be added to the CIP project list. Mr. Bohan answered it is part of the Capital Improvement Program and he explained the public can participate when the projects are brought before the assembly with very generalized scope. The CBJ does not typically reach out to the neighborhood on particular programs until the project is approved by the assembly and funded with the Capital Improvement Program. At the point of starting the design phase, they reach out. This project has taken on a bigger life then when originally scoped. The CBJ is looking to PC for guidance regarding possibly rescoping the project due to the traffic flow and other concerns.

Mr. Voelckers asked for clarification of the plans for replacing the utilities and what costs were expected. Mr. Bohan answered they are trying to mitigate costs while still making the needed improvements.

Public Testimony

Emily Ferry, 836 Calhoun Avenue – Ms. Ferry said she finds it shocking that the CBJ said they were not aware of the problem. The one-way loop proposal makes sense to her as a safety improvement for the Fire Department access. She added this is a route where bicycles and pedestrians should be prioritized.

Mr. Alper asked Ms. Ferry if the sketch she suggested works with the proposal before them tonight. Ms. Ferry said that really all she was asking was for there to be more dialogue about alternatives that could improve traffic, pedestrian, and bike safety in the area.

Frankie Pillifant, 512 6th Street – Ms. Pillifant is interested in the idea of the looped one-way route. She added that currently as presented the project is not consistent with the Comp Plan as she understands it. She would like to see the utilities put underground.

Mary Alice McKeen, 212 W 9th Street – Ms. McKeen said the proposed improvement will improve the water system but the improvement for biking and pedestrians is minimal. She also feels the waiver should not be approved. She would like to see more options considered to include the one-way option and a bike lane.

Peter Metcalfe, 354 Distan Avenue – Mr. Metcalfe would like to see traffic calming devices such as speed bumps and signal lights in the area and said there is nothing in the plan currently that makes him feel safer. He stated support for the one-way option.

Mark Choate, 230 W 8th Street – Mr. Choate has lived in the area for 30 years and walks it regularly. Mr. Choate described the area identified in the plans as a ‘pinch point’ and said it is really a blind corner and is very dangerous.

Amy Dressel, 954 Goldbelt Avenue – She agrees the project needs to be looked at more in depth. Ms. Dressel spoke to the safety issues on Calhoun. Those issues include narrow, uneven sidewalks and blind corners on the roads.

Demian Schane, 836 Calhoun Avenue – Calhoun is a major pedestrian thoroughfare and he supports a comprehensive pedestrian study in the area.

Jill Ramiel, 526 Seward Street – Ms. Ramiel owns the Silverbow Inn, disclosed she is married to Commissioner Alper, and spoke on behalf of the Downtown Business Association (DBA). Ms. Ramiel said this project is very important to the DBA for getting residents to their businesses and, as such, they would like to see more study put into it.

Jeremy Bauer, - supports widening the sidewalk and burying the utility lines.

John Dunker, 592 Cedar Street – Mr. Dunker urged expanding the consideration along with Capital Avenue to relieve some of the pedestrian and vehicular pressure in the area. He felt the opportunity to bury utilities should not be passed up.

Motion: by Mr. Dye to extend the meeting to 11:15 p.m.

The motion passed with no objection.

Applicant Response

Mr. Bohan said this has been on the priority list for several years and due to COVID, the Egan drive project finished early giving CBJ the opportunity to move this project forward early. He

agrees a pedestrian/traffic study in the area is needed. He feels that the best time to do such a study would be during a regular tourist season to actually see the impacts of that traffic. But he felt the project should not be held up waiting for tourism to come back. He added signage and traffic calming are built into the plans.

Mr. Etheridge said he would like to reiterate having the second access into downtown is vital. As such, emergency access needs to be taken into consideration.

Questions for the Applicant

Mr. Winchell asked if getting to the fire is more important than leaving the fire. Mr. Etheridge answered that would be true if there was only one fire call at the time. However, often, there are multiple emergencies at a single time making it just is important to get to as to get away from locations.

Mr. Dye asked if there is any value in just replacing the water system for now and going forward with other parts later. Mr. Bohan said that would require a large and intrusive project in the neighborhood and he would prefer to not have to tear up the road to replace the water then replace it and have to tear it up again to complete the project.

Commissioner Discussion

Mr. Voelckers commented saying there may be a critical need for more study. Ms. Pierce reminded the PC what is being proposed is critical infrastructure which is in accordance with the Comp Plan. If the PC wanted to recommend a traffic study or a pedestrian study in the future, that could be a future phase of the project.

Mr. Dye asked if the PC recommended to the Assembly for Denial, what options would the Assembly have. Ms. Maclean answered the decision tonight is a recommendation to the Assembly. They have the option to take the recommendation or not or they could modify it.

Mr. LeVine clarified that Ms. Maclean's answer was correct for the recommendation of the project to the Assembly but for the waiver, if the PC denies or grants the waiver, that gives the right of appeal.

Mr. Arndt wondered if they could move the project forward and include a recommendation to the assembly to get the infrastructure replaced and include a study at the same time.

Motion: by Mr. Dye to extend the meeting to 11:25 p.m.

The motion passed with no objection.

Mr. Winchell agreed with Mr. Voelckers and added that it is important to make that corridor safe.

MOTION: by Mr. Pedersen to

- **ADOPT** the Director's analysis and findings, and forward a **RECOMMENDATION OF APPROVAL** of **CSP2020 0011** to the CBJ Assembly for the Calhoun Avenue Reconstruction Project.
- ~~**APPROVE** the waiver of road construction standards for the Calhoun Avenue Reconstruction Project. (removed on amendment)~~
- **RECOMMEND** to the CBJ Assembly that they authorize further study for reconfiguration of Calhoun Avenue

Mr. Winchell said it would be ideal to bury the utility concurrent with the water replacement but would not offer an amendment.

Mr. Alper wanted it on record he was disappointed with the outcome of the Egan project and does not want to be disappointed with this as well. For that reason, he cannot support the motion as it stands.

Mr. Voelckers reluctantly opposes the motion and cited the Fire Chief's comment that the apparatus is the same width as the roadway and was concerned about the safety issues.

Mr. Dye cited the AASHTO waiver and would oppose on that.

Motion to Amend: by Mr. LeVine to **STRIKE** the waiver from the original motion.

The motion to amend passed with no objection.

Mr. LeVine spoke against the original Motion saying there is significant public interest in the project and a perception that better public process is needed. Better public process and additional consideration by the City and Engineering Department could ensure more effective compliance with the Comp Plan, Title 49, and non-motorized transportation plan. The best way to achieve those goals will be through one process rather than a series of processes, and that he doesn't take any pleasure in making that motion. Mr. LeVine said it is a very difficult question, and he is not at all convinced what the best way is forward, believes that the question about broader investigation is one that's appropriately before the assembly and so the purpose is to make a recommendation to the assembly and enable them to take up our best thinking on it. That's the justification for the motion, that he would make.

Roll Call Vote

Yes: Pedersen, Arndt, Hickok, Dye

No: Cole, Alper, Winchell, Voelckers, LeVine

Motion fails

Motion: by Mr. Dye to extend the meeting to 11:30pm

The motion passed with no objection.

MOTION: by Mr. LeVine to *forward a **RECOMMENDATION OF DENIAL** of **CSP2020 0011** to the CBJ Assembly for the Calhoun Avenue Reconstruction Project and recommend Engineering to conduct a traffic analysis study.*

Mr. Hickok expressed concerns that they would be pushing off an imminent failure of the waterline. Mr. Arndt also has concerns with the risk to the water main. Mr. Pedersen spoke in agreement with Mr. Arndt and Mr. Hickok saying a waterline break could have devastating outcomes.

Roll Call Vote

Yes: LeVine, Cole, Alper, Winchell, Voelckers

No: Arndt, Pedersen, Hickok, Dye

Motion passes

At this point, the meeting ran out of time and the meeting ended at 11:31 p.m.

~~XI. BOARD OF ADJUSTMENT~~

~~XII. OTHER BUSINESS~~

~~XIII. STAFF REPORTS~~

~~XIV. COMMITTEE REPORTS~~

~~XV. LIAISON REPORTS~~

~~XVI. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS~~

~~XVII. PLANNING COMMISSION COMMENTS AND QUESTIONS~~

~~XVIII. EXECUTIVE SESSION~~

XIX. ADJOURNMENT – 11:31 p.m.