

Planning Commission
Regular Meeting
CITY AND BOROUGH OF JUNEAU
Michael LeVine, Chairman
July 14, 2020

I. ROLL CALL

Michael LeVine, Chairman, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in the Assembly Chambers of the Municipal Building, to order at 7:04 p.m.

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

Commissioners absent: Ken Alper

Staff present: Jill Maclean, CDD Director; Laurel Christian, CDD; Emily Wright, LAW; Allison Eddins, CDD; Irene Gallion, CDD;

Assembly members: Greg Smith

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

III. APPROVAL OF MINUTES

A. June 9, 2020 Draft Minutes – Planning Commission Committee of the Whole Meeting

MOTION: *by Mr. Voelckers to approve the Planning Commission June 9, 2020, Planning Commission Committee of the Whole Meeting minutes.*

The motion passed with no objection.

B. June 9, 2020 Draft Minutes – Regular Planning Commission Meeting

MOTION: *by Mr. Voelckers to approve the Planning Commission June 9, 2020, Regular Planning Commission Meeting minutes.*

The motion passed with no objection.

IV. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION –

Mr. LeVine explained the rules and process for public participation and explained that due to the number of people wanting to testify, their time might be limited to accommodate everybody.

Ms. Maclean spoke to inform members of the public that the chat box function is not used for public comments.

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS- None

VI. ITEMS FOR RECONSIDERATION- None

VII. CONSENT AGENDA

In order to move on item **ADP2020 0001**, Mr. LeVine adjourned the Planning Commission PC and reconvened as the Board of Adjustment at 7:09 p.m.

ADP2020 0001: An Alternative Development Permit to reduce the front yard setback from 20 feet to 10.52 feet for an addition
Applicant: Northwind Architects
Location: 923 A Street

Staff Recommendation

Staff recommends the Board of Adjustment adopt the Director's analysis and findings and **APPROVE** the requested Alternative Development Permit. The Permit would allow for the reduction of the front yard setback from 20 feet to 10.50 feet for an addition that contains living space.

MOTION: *by Mr. Dye to accept staff's findings, analysis and recommendations and approve ADP2020 0001.*

The motion passed with no objection.

Mr. LeVine adjourned the Board of Adjustment and reconvened as Planning Commission at 7:11 p.m.

VIII. UNFINISHED BUSINESS – None

IX. REGULAR AGENDA

Prior to presentation of **USE2020 0012**, Mr. Arndt declared a potential conflict as he was notified as one of the property owners in the area. He stated he has no interest in the project and feels he can be fair and unbiased. There was no objection so he will remain on the Commission for this item.

USE2020 0012: 490 square foot expansion of alcohol retail area and the installation of a drive-through coffee window
Applicant: Jack & Tom Manning
Location: 9951 Stephen Richards Memorial Drive

Staff Recommendation

Ms. Eddins presented **USE 2020 0012**

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 a 490 square foot expansion of the Duck Creek Market, including a re-designed entryway and installation of a drive-through window.

The approval is subject to the following conditions:

1. Prior to issuing a Temporary Certificate of Occupancy, circulation arrows for the drive-through pattern shall be painted in the parking area.
2. Prior to issuing a Temporary Certificate of Occupancy, the applicant must paint the striped pedestrian way and install pedestrian lighting.
3. Prior to issuance of a Temporary Certificate of Occupancy, the applicant must install a bear-resistant litter can near the building entrance or near the pedestrian walkway.

Questions from Commissioners to Staff:

Mr. Voelckers asked about the measurements for the vehicle queueing. Ms. Eddins answered Staff used a measurement of ten- to twelve-feet for cars. Using that measurement, there would be room for about ten vehicles in the queue.

Mr. Dye asked whether this was the only lot in the convenience store overlay district that is bigger than the district it is in. Ms. Eddins confirmed that it is.

Mr. Dye asked about how the average daily trips (ADT) was calculated. Ms. Eddins explained the challenges experienced when trying to determine ADT for a convenience store with a drive thru and the process staff used to come to their estimate.

Applicant Presentation:

Tom Manning spoke to explain the remodel and expansion plan for the Duck Creek Market store. They are looking to expand the store to include an enlarged alcohol section and add a drive thru window.

Jack Manning explained the building is aged and needs an upgrade and described the planned changes.

Questions from Commissioners to Applicant:

Mr. Voelckers asked if they were comfortable with the 18-space parking lot. Jack Manning answered the only day each year that the parking lot is filled is on Juneau community clean-up day when they do a hot dog feed.

Public Comment - None

Questions for Staff:

Mr. Voelckers asked about the calculated parking requirement and asked if it needs to be added as a condition. Ms. Eddins explained the regulations state they are required to have one space for every 250 square feet of floor space. As a result, it is not required as a condition.

Mr. Dye spoke for the record his concerns with the calculated ADT estimation stating he was concerned that the written staff report did not clearly state that the estimate was not based on a real number but was actually more of an educated guess.

MOTION: *by Mr. Voelckers to accept staff's findings, analysis and recommendations and approve USE2020 0012.*

The motion passed with no objection.

AT EASE: 7:54 p.m. to 8:00 p.m.

USE2020 0008:	Conditional Use Permit for an emergency shelter and social services office building
Applicant:	Southeast Alaska Independent Living & The Glory Hall
Location:	West of 8617 Teal Street

Staff Recommendation

Ms. Gallion presented **USE 2020 0008** and **PWP 2020 0002**.

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 Emergency Housing Shelter and social services office building.

The approval is subject to the following conditions:

1. ~~Prior to issuing a building permit, the applicant shall submit a site plan that includes sidewalks along the full length of the lot on Teal Street and Alpine Avenue. Sidewalks will be a minimum of five feet wide.~~
2. Prior to the issuance of a temporary certificate of occupancy, one or more covered bicycle racks providing spaces for at least four (4) bicycles shall be provided. The rack(s) shall be permanently affixed to the ground, building, or other permanent fixture. Racks shall be located so that parked bicycles do not encroach into a pedestrian walkway or vehicle area. Covered bicycle racks shall, at a minimum, be designed in accordance with the standards listed in the Juneau Non-Motorized Transportation Plan.
3. Prior to issuance of a temporary certificate of occupancy, wheel stops or striping shall be placed in the parking lot to define the location of parking spaces, and all necessary ADA striping and signage will be installed.
4. Prior to the issuance of a temporary certificate of occupancy, all pavement markings, including directional arrows, parking space stripes, and other markings shown on the project site plan, shall be applied to the parking and circulation area shown on the site plan in a medium designed for such purposes.
5. Prior to issuance of a building permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed and located to minimize offsite glare. Approval of the plan shall be at the discretion of the Community Development Department, according to the requirements of CBJ 49.40.230(d).
6. Prior to issuance of a building permit, the developer shall submit to the CBJ Engineering Department a detailed drainage plan that includes provisions for managing storm water run-off during construction and details the drainage facilities to be included in the development. The plan will include storm water best management practices to infiltrate and treat storm water runoff. ~~through:~~
 - a. ~~Conveying all rooftop runoff to the native soil and groundwater table by way of rain gardens, infiltration trenches or similar, and~~
 - b. ~~Conveying all parking lot runoff into bio-retention BMPs that infiltrate and treat runoff before the runoff enters the native soil and groundwater table.~~

~~No building permit shall be issued until such plans are deemed adequate and approved by the CBJ Engineering Department.~~

PWP2020 0002: Parking Waiver to reduce required parking from 56 spaces to 48 spaces
Applicant: Southeast Alaska Independent Living & The Glory Hall
Location: West of 8617 Teal 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 total parking required from 56 to ~~48~~ 42 off-street parking spaces. Of the ~~48~~ 42 proposed off-street parking spaces, 10 (1 ADA) off-street parking spaces would be oriented toward the Emergency Housing Shelter, and ~~38~~ 32 (2 ADA) off-street parking spaces would be oriented toward the social services office building.

The approval is subject to the following conditions:

- ~~1. Prior to issuance of a building permit, the developer shall submit to the CBJ Engineering Department a detailed drainage plan that includes provisions for managing storm water run off during construction and details the drainage facilities to be included in the development. The plan will include storm water best management practices to infiltrate and treat storm water runoff by conveying all parking lot runoff into bio retention BMPs that infiltrate and treat runoff before the runoff enters the native soil and groundwater table.~~
- ~~2. Prior to issuance of a temporary certificate of occupancy, wheel stops or striping shall be placed in the parking lot to define the location of parking spaces; and all necessary ADA striping and signage will be installed.~~
- ~~3. Prior to the issuance of a temporary certificate of occupancy, all pavement markings, including directional arrows, parking space stripes, and other markings shown on the project site plan, shall be applied to the parking and circulation area shown on the site plan in a medium designed for such purposes.~~
- ~~4. Prior to issuance of a building permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed and located to minimize offsite glare. Approval of the plan shall be at the discretion of the Community Development Department, according to the requirements of CBJ 49.40.230(d).~~

Questions from Commissioners to Staff:

Mr. Dye mentioned one of his employees is on the housing first board and has been involved in this project but he feels he does not have a conflict. He was allowed to remain.

Mr. Voelckers asked about the requirement regarding sidewalks and asked if there are any sidewalks currently in the area and asked for clarification on how CBJ deals with incremental growth in an area. Ms. Gallion explained the CBJ treats these on a case by case basis. She added the property owners in this area were not comfortable entering into an L.I.D. related to this project.

Commissioners discussed the sidewalk requirements and the bus stop pull out.

Mr. Arndt asked, in regard to condition number 6 relating to drainage, if the Southeast Alaska Watershed Coalition is a regulatory body. Ms. Gallion explained they are not but they work with regulatory agencies. Mr. Arndt asked why did Staff use the comments of a non-regulatory agency to make conditions rather than using the comments of the Engineering department. Ms. Gallion explained and added that the applicants are in agreement with this condition.

Applicant Presentation:

Mariya Lovischuk, Executive Director, Glory Hall introduced the applicant team.

Mark Pusich, PDC Engineers, spoke to Condition #1 requiring sidewalks. Mr. Pusich stated the sidewalk condition is cost prohibitive and unnecessary and would create a hardship for the applicant. Mr. Pusich spoke to the calculation for the ADT and felt it was overstated. Mr. Pusich explained adding a sidewalk adds costs for surveying, drainage, curbing, etc, and will be overly costly.

Travis Miller, UHS group, spoke in support of the parking waiver. He also felt a sidewalk was not necessary as the majority of clientele would be arriving to the location via automobile, taxi, or bus rather than on foot.

Joan O'Keefe, Executive Director, SAIL spoke to the advantages of locating the facility in this location and the benefits the facility would provide to the community.

Questions from Commissioners to Applicant:

Mr. Eiler asked the applicant to expand why they feel the sidewalk would be a detriment to the facilities.

Ms. Lovischuk explained that while she is not opposed to sidewalks in general, she is opposed to this particular sidewalk and explained her reasoning. Ms. Lovischuk felt potential risks included people mistaking the sidewalk for public property and using it to store their belongings or for camping.

Mr. Dye asked whether they felt the shelter would add to crime in the area. Ms. Lovischuk explained that homeless shelters can be equated with increased crime if they are not managed well and don't offer proper services. However, the multiple services that would be collocated to this facility will mitigate the perceived risk of increased criminal activity.

Mr. Winchell asked how to educate the neighboring businesses in crime avoidance. Ms. Lovischuk said that crime is on the rise throughout Juneau and would not necessarily be related to this project.

Mr. Voelckers asked about the plans for the parks in the area and about the thinking that most clientele will utilize taxis, possibly more than buses. Mr. Miller explained that the park areas will encourage people to exercise, and be engaged in nature and will not encourage camping. Mr. Miller also spoke to relocating the bus stop nearer to the facility. He stated that the bus stop is currently a distance for clients to walk. By locating it closer, it would lessen the hardship on less able clientele. Ms. Lovischuk added the downtown Glory Hall garden project has definitely helped to foster a feeling of community for their clientele.

Mr. LeVine asked for clarification whether the Glory Hall would be relocating to the new location or would there be two locations. Ms. Lovischuk said they are relocating and would be only the one in the new location.

Public Comment:

Mr. Maclean read an email received from Kay Gray against moving the Glory Hall. Ms. Gray felt moving the services out of downtown would move the services far from those who need them and would spread crime.

Steve Allwine – Mr. Allwine, co-owner Mendenhall Auto Center, spoke in support of sidewalks in the area. Mr. Allwine felt strongly that sidewalks are necessary but they should be added by the City and not pushed onto the applicants.

Bret Connell, Downtown – Mr. Connell spoke in support of the project stating the homeless population would benefit from the proposed campus.

Mr. Dye asked Mr. Connell if he sees a need for sidewalks in the whole area or just at the project location.

Sioux Douglas, Juneau – Ms. Douglas spoke in support of the project and said to refuse it just for a lack of sidewalk would be a shame.

Millie Ryan, Downtown Flats – Ms. Ryan spoke in support of the project and thinks bringing the services together will be beneficial for people with disabilities and seniors.

Jeanette Lacey, Twin Lakes – Ms. Lacey spoke as a board member of Juneau Housing First and the director of case management at Bartlett Regional Hospital. Ms. Lacey spoke in support of the permit saying bringing these services together will benefit clients.

Heather Parker, Downtown – Ms. Parker is the supervising attorney for the Southeast offices of Alaska Legal Services. She spoke in support of the project stating co-location of the services will benefit the people it serves.

Dr. Heidi Brocious – Dr. Brocious, Housing First project program evaluator, spoke to the positive impacts of providing the proposed services and housing for at risk persons. She said one fear is that crime will increase around the proposed campus but the data does not support that. The outcomes she has seen with Housing First has been a decrease in crime activity among their clients.

Beth Chapman – Ms. Chapman is an owner of Faulkner Banfield Law Firm spoke in support of the project saying the project is compatible with the neighborhood and will provide services to citizens.

Mr. Dye asked about the need for sidewalks and whether they are needed throughout the area or only around this proposed project. Ms. Chapman felt they are needed in the entire area.

Chuck Collins, Bartlett Ave – Mr. Collins spoke in support of the project. He agrees sidewalks are needed throughout the area and feels it is unfair to condition it on this applicant when they are not anywhere else in the area.

Dave Ringle, Meadow Lane – Mr. Ringle, General Manager of St. Vincent de Paul, spoke in support of the project and looks forward to having the services located nearer to his clients. Mr. Ringle said a problem with the proposed sidewalks are they go nowhere.

Mandy Cole, Back Loop – Executive Director Aware, Ms. Cole spoke in support of the project stating this plan is the result of meticulous thought about what is best for the clients as well as for the community.

Kate Glover, Downtown Flats – Ms. Glover used to live in the area of the project and spoke in support of the project stating it will improve and beautify the area with the green spaces proposed. Additionally, the co-location of services will help to improve public safety in the area.

John Blasco, Riverbend Court – Mr. Blasco works in Alaska Brewing and the Housing First is in their neighborhood. He spoke in support of the project stating that there has been no increased criminal activity as a result of the Housing First project.

Mr. LeVine asked if there had been any increase in crime since the Housing First project has come to their area. Mr. Blasco said he has not seen any increase.

Gus Marx – Mr. Marx is co-chair of the Juneau Coalition on Housing and Homelessness. He spoke in full support saying this is going to be a success stating this will provide people privacy and dignity.

Mr. Dye asked Mr. Marx for comments on the sidewalks in the area. Mr. Marx said the entire area should be side-walked.

Meilani Schijvens, Flats – Ms. Schijvens works for Rainforest Data and spoke of the economic benefits of this project including the increase in property taxes that could be collected if the old Glory Hall location was to move to private ownership, the financial impact of the construction of the project, and the impact on hospitals that would be reduced by having this facility people could go to.

Renee Dull, Juneau Aurora Neighborhood – Ms. Dull spoke with concerns regarding the impacts of nuisance crimes if this project moves forward. When the warming shelter was in the area, there was an increase in loitering, intoxicated persons and panhandlers. She added the area is dangerous without sidewalks.

Wayne Stevens, Side Court – Mr. Stevens is the President, CEO, United Way of Southeast Alaska. Mr. Stevens spoke in support of the joint services facility stating they are committed to being good neighbors and while he understands neighbors' concerns, he feels this will be a good thing.

Marla Berg – Ms. Berg, Chair, Glory Hall Board, spoke in support of the project explaining the current location is not adequate especially with the requirements due to COVID. She feels the co-location of services will be a real help to clients.

Hilary Poole, Airport Area – Ms. Poole spoke with concerns that the new project will bring an increase of up to 200% in police calls. She agrees the services are needed but has concerns that this will bring an increase in crime activity.

Mark Troupin, Pioneer Ave – Mr. Troupin is co-owner at Mendenhall Auto Center. Mr. Troupin spoke with concerns that this project will put people into a dangerous situation taking into consideration the lack of lighting and lack of sidewalks and the number of persons that will come with this facility.

Additional Comments from Applicant:

Ms. Lovischuk said they really strive to be a good neighbor and look forward to working with the neighborhood.

MOTION: *by Mr. Dye to accept staff's findings, analysis and recommendations and approve USE2020 0008 striking the sentences "Staff anticipates an increase in nuisance crimes for neighbors in the area of the proposed Emergency Housing Shelter. Staff anticipates improved safety and well-being of patrons due to improved facilities and co-located services." from finding #4, striking all of Condition #1 and striking all verbiage in Condition #6 after the words 'water runoff'.*

Mr. Voelckers and Mr. Arndt spoke in support of the motion and spoke in support of getting sidewalks into that area but thought it should be a CBJ CIP project rather than a requirement of the applicant.

Mr. Winchell spoke in support of the motion. He understands the concerns regarding crime increases and appreciates the applicant's willingness to work with neighbors to mitigate this.

The motion passed with no objection.

MOTION: *by Mr. Arndt to accept staff's findings, analysis and recommendations and approve PWP2020 0002 striking all of the conditions and reflecting the changes in the correction memo from 48 to 42 parking spaces.*

Mr. Dye spoke in support of the motion.

The motion passed with no objection.

X. **BOARD OF ADJUSTMENT** – None

XI. **OTHER BUSINESS** – None

XII. **STAFF REPORTS** –

Ms. Maclean reported

- She will work by the end of the week to get a Title 49 meeting scheduled in August
- She would like to work with the commission regarding amending the rules governing public comments up to the time of the meeting – Mr. LeVine suggested she talk with Mr. Voelckers as he is the Chair of the Rules Committee
- Next meeting is July 28th
- July 20th Lands Committee meeting has been cancelled
- August 10th Lands and Public Works & Facilities Committee meetings

Mr. Arndt asked about the status of the FEMA project discussed at the last meeting. Ms. Maclean reported it is still in the works.

XIII. **COMMITTEE REPORTS** – None

XIV. **LIAISON REPORTS** – Mr. Smith reported on Assembly activities. The ADOD has been approved.

Mr. Winchell asked about the masking ordinance. Mr. Smith said an ordinance requiring face coverings in certain indoor settings has been forwarded to the Committee of the Whole to be heard Monday, July 20th.

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

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS – Mr. LeVine thanked the commissioners for their time and participation in tonight’s meeting. Mr. Arndt asked about the proposed joint Planning Commission - Assembly meeting. Ms. Maclean said it is on the radar but it has not yet been added to a schedule.

XVII. EXECUTIVE SESSION – None

XVIII. ADJOURNMENT – 10:56 p.m.