

Agenda
Planning Commission
Regular Meeting
CITY AND BOROUGH OF JUNEAU
Nathaniel Dye, Acting Chairman
February 25, 2020

I. ROLL CALL

Nathaniel Dye, Acting 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 7:00 p.m.

Commissioners present: Nathaniel Dye, Acting Chairman; Paul Voelckers, Clerk; Ken Alper, Dan Hickok, Weston Eiler, Josh Winchell; Michael LeVine (by phone)

Commissioners absent: Travis Arndt, Assistant Clerk;

Staff present: Jill Maclean, CDD Director; Alex Pierce, CDD; Laurel Christian, CDD; Tim Felstead, CDD; Allison Eddins, CDD; Emily Wright, Law

Assembly members: Greg Smith

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

III. APPROVAL OF MINUTES

A. January 28, 2020 Draft Minutes – Regular Planning Commission Meeting

MOTION: *by Mr. Alper to approve the Planning Commission January 28, 2020, Regular meeting minutes.*

The motion passed with no objection.

IV. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION - Mr. Dye explained to the audience the rules of public testimony

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

VI. ITEMS FOR RECONSIDERATION - None

VII. CONSENT AGENDA

SMP2019 0003: A preliminary plat approval for a phased major subdivision creating fourteen (14) lots and one (1) large tract (15 lots total)
Applicant: Bicknell Inc.
Location: Yandukin Drive

MOTION: *by Mr. Winchell to move SMP2019 0003 to the Regular Agenda.*

The motion passed with no objection and SMP2019 0003 moved as the new Item A.

USE2020 0001: A Conditional Use Permit for a new campus building at UAS
Applicant: NorthWind Architects, LLC
Location: 11305 Glacier Highway

Commissioner Eiler declared a substantial conflict of interest with USE2020 0001 as his day job is government relations for the University of Alaska system.

Staff Recommendation

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of a new campus building at the University of Alaska Southeast campus.

The approval is subject to the following conditions:

1. CBJ-approved signage shall be posted for the accessible parking space prior to commencement of the proposed use.
2. Wheel stops or striping shall be placed in the parking lot to define the location of parking spaces prior to commencement of the proposed use.
3. 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 as shown on the site plan in a medium designed for such purposes prior to the issuance of a Certificate of Occupancy.
4. A shared parking agreement must be approved by the CBJ Community Development Department and CBJ Law Department, and must be recorded in the State Recorder's Office prior to issuance of a building permit for the proposed structure. The parking agreement must clearly state that it may be nullified only when the CBJ Community Development Department Director has approved the nullification of the agreement on an instrument that is recorded with the State Recorder's Office.
5. Prior to issuance of a building permit the developer shall submit to the CBJ Engineering Department, a detailed drainage plan which includes provisions for managing storm water run-off during construction and which details the drainage facilities to be included as part of the development. No building permit shall be issued until such plans are deemed adequate and

approved by the CBJ Engineering Department.

6. Prior to the issuance of a building permit, the applicant shall submit a revised site plan showing snow storage location(s).
7. 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 at the discretion of the Community Development Department, according to the requirements of CBJ 49.40.230(d).
8. Prior to the issuance of a Temporary Certificate of Occupancy for the proposed structure, the applicant shall dedicate a public pedestrian access easement to the mouth of Auke Creek. When a viable alternative access is provided, the easement across the University property could be vacated. A floating easement could be used with route determined by UAS.

MOTION: *by Mr. Voelckers to adopt USE2020 0001* and approve it with Directors analysis and findings.

The motion passed with no objection

VIII. UNFINISHED BUSINESS - None

IX. REGULAR AGENDA

- A. **SMP2019 0003:** A preliminary plat approval for a phased major subdivision creating fourteen (14) lots and one (1) large tract (15 lots total)

Applicant: Bicknell Inc.

Location: Yandukin Drive

Staff Recommendation

Staff recommends that the Planning Commission adopt the Director's analysis and findings and **APPROVE** the Preliminary Plat for Honsinger Pond Subdivision Phase 1. This approval would allow the applicant to submit for the Final Plat Application. The approval is subject to the following conditions:

1. 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.
2. 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 Engineering & Public Works for compliance with CBJ 49.35.140.
3. Prior to approval of the final plat, the applicant has constructed all required improvements or provided a financial guarantee in accordance with CBJ 49.55.010.
4. The developer shall utilize Best Management Practices to treat or reduce any harmful particulates that may arise from the development.

5. The developer shall utilize Best Management Practices for storm water runoff to prevent sediment run-off from construction activities into neighboring waterbodies.
6. The developer shall submit a final drainage plan to be approved by CBJ Engineering & Public Works prior to final plat approval. This drainage plan must be signed and stamped by an Alaskan licensed engineer in accordance with CBJ 49.35.510.
7. Prior to construction plan approval, the applicant shall submit a lighting plan meeting applicable CBJ standards.
8. Prior to final plat approval, the Memorandum of Agreement for the USS 3800 Accretions, which demonstrates that publically maintained access is provided to the subject property, shall be signed by all applicable parties and a fully executed copy must be provided to the Community Development Department.

Laurel Christian, CDD Planner gave a brief presentation explaining **SMP2019 0003** and CDD recommendations.

QUESTIONS FOR STAFF:

Mr. Levine had questions regarding the current status of the memorandum of agreement (MOA) negotiations and what would happen if the MOA was not able to be negotiated. Ms. Christian explained the MOA is currently under review at CBJ.

Mr. Levine additionally wondered why the Commission is reviewing the preliminary plat now rather than waiting until the final MOA is completed. Ms. Maclean explained that there is currently not publically maintained access to the subdivision. The MOA states the access to the subdivision will be publicly maintained in accordance with 49.35.

Mr. Alper had questions about the pond in the subdivision. Ms. Christian explained that it will be filled. Ms. Pierce explained that further questions about the pond area would be better answered by the applicant.

There was discussion concerning Mapleston Way and why the applicant would be building a new road for access rather than using Mapleston Way. It was explained that Mapleston Way is not a CBJ right of way and would require an agreement from the airport and FAA for use of the property. Prior attempts to get access have been unsuccessful.

There were concerns regarding impacts to traffic and to safety with the two roads near to each other.

APPLICANT PRESENTATION:

Mark Pusich, representing PDC Engineers and Spike Bicknell, Applicant came forward to discuss the Permit and answer Commission questions.

Mr. Pusich explained the plans to fill the pond and discussed the right of way issues with Mapleston Way. He added that their access road would improve safety and that it allows for an acceleration lane.

The expected clientele and businesses would include boat condos and businesses but no contracts have

been signed as of yet.

Mr. Dye noticed it appears pedestrian flow appears to go to where there is no pedestrian access towards Egan Drive. Mr. Pusich explained there is no pedestrian link in either direction (east or west). They may alter the sidewalk slightly by the time the plat is finalized. The sidewalk is currently on the east side due to the placement of utilities in the area.

Mr. Voelckers had questions about the electrical service to the subdivision. Mr. Pusich explained their electrical engineer is working on that and would be responsible for any permits as needed as they come up.

PUBLIC TESTIMONY:

- **Michael Schuler 1705 Willow Dr**

Mr. Schuler works as Property Management Officer for DOTPF, South Coast Region, and is available for questions.

Mr. Voelckers asked about DOTPF's position regarding Mapleston Way. Mr. Schuler explained Mapleston is the preferred access but the airport will not allow it. Without Mapleston, the new road is required.

QUESTIONS FOR APPLICANT – NONE

ADDITIONAL QUESTIONS FOR STAFF

Mr. Voelckers asked for clarification of the traffic question and the process when there is a subdivision and then incremental increases to that subdivision. At what point would it become a major change?

Ms. Maclean explained CBJ is limited in what they can require stating they cannot require an applicant to install a traffic light on DOT property. It was noted for the record that the commission has a persistent desire to consider areas holistically rather than incrementally.

Mr. Levine wondered if there was a situation in which another access could be required or if Mapleston Way could be required to be used. Ms. Maclean answered that CBJ cannot require the use of Mapleston Way and if the applicant is refused access to their property then it would be deemed a taking by CBJ.

MOTION: *by Mr. Voelckers to adopt SMP2019 0003* and APPROVE it with Directors analysis and findings.

MOTION: *by Mr. Winchell to the amend condition 6 to change the verbiage from "This drainage plan must be signed and stamped by an Alaskan engineer " to "This drainage plan must be prepared by an Alaskan licensed engineer and approved by the director of engineering and public works ..."*

The motion to amend passed with no objection

MOTION: *by Mr. Voelckers to adopt SMP2019 0003* as amended and APPROVE it with Directors analysis and findings.

The motion passed with no objection

Recess 8:14 to 8:22

- B. **CSP2020 0001:** Reconstruction of Capital Avenue from W. Willoughby Avenue to W. 9th Avenue, to include addition of sidewalk, reduction to one traffic lane with a south-to-north traffic flow, and intersection improvements

Applicant: City & Borough of Juneau

Location: Capital Avenue from W. Willoughby Avenue to W. 9th Avenue

Staff Recommendation

Staff recommends that the Planning Commission adopt the above analysis and findings, and recommend to the Assembly the reconstruction of Capital Avenue from Willoughby Avenue to West Ninth Street.

Staff presentation

Alex Pierce, CDD Planner gave a brief presentation explaining **CSP2020 0001** and CDD recommendations.

Capital Avenue is currently a two-way street running in north to south direction. **CSP2020 0001** proposed to change it to a one-way street with a sidewalk. Capital Avenue is a poorly lit narrow drive, with poor drainage, poor road conditions, ending in a blind corner with Willoughby Avenue on one end and a four-way stop at the West Ninth Street intersection on the other end.

QUESTIONS FOR STAFF:

Mr. Alper inquired as to why the proposal was for Northbound rather than a Southbound one-way and asked which direction was more supported in the public comments received. Ms. Pierce explained the public comments mostly supported the northbound direction and Ms. Maclean added that given the two choices, the southbound terminus with Willoughby Avenue is a blind corner and is the more dangerous option for vehicles as well as pedestrians.

QUESTIONS FOR APPLICANT:

Alan Steffert – CBJ Engineering came forward to answer any questions.

Mr. Voelckers asked if there is any place for on street parking. Mr. Steffert said it is possible they may move one of the AELP fences back a bit and be able to add some parking spaces but it will require easements from AELP.

Further discussion centered on the northbound versus southbound options and how northbound came to be the preferred route.

PUBLIC TESTIMONY

- **ROBERT ROYS -315 W 11TH**

Mr. Roys spoke in support of the preferred alternative. He uses this road as a car driver, a biker and as a pedestrian. He added he would like to see a Totem Pole added along the route somewhere.

Mr. Winchell asked when Mr. Roys notices the most traffic and in which direction does it flow? What does he use that route for and at what times? Mr. Roys said he uses it mostly during lunch time to go to and from Foodland. He also travels it late night. He says it gets traffic (vehicle and pedestrian) at all hours.

- **Robert Mell – 850 BASIN ROAD**

Mr. Mell spoke in favor of maintaining the corridor as a two-way road. He spoke against adding a sidewalk stating sidewalks will make the road more narrow and in winter when snowed on, sidewalks are not maintained regularly. When sidewalks are blocked with snow, pedestrians will walk in the road anyway. He agreed that adding a rain gutter would be an improvement and stated installing a larger mirror at the Willoughby intersection would be helpful.

- **KAY MELL – 850 BASIN ROAD**

Ms. Mell also spoke in favor of maintaining the corridor as a two-way road. She believes the narrow road promotes watchfulness, courtesy, and respect and it slows traffic. In her opinion, Capital Avenue should remain a two-way one-lane road. She said sidewalks are a nice idea but if they are not cleared, pedestrians are forced to walk in the street.

- **ROB CADMUS 809 B STREET**

Mr. Cadmus thanked Alan Steffert and the contractor for their efforts to inform the public of this project by contacting residents and running the public meeting. He supports the planned northbound one way with sidewalk.

Mr. Winchell asked Mr. Cadmus for his opinion on how to encourage use of 8th Avenue. Mr. Cadmus said right now it is uninviting and rather scary looking. Adding greenery, lighting and a pedestrian walking area would all be helpful.

- **KATE GLOVER – 809 B STREET**

Ms. Glover strongly supports the proposal. She particularly supports the proposed lighting improvements and moving the crossing to the lighted area.

- **Peter Metcalfe – 354 DISTIN**

Mr. Metcalfe spoke in support of the plan. He supports the planned lighting, sidewalk, and one-way flow of traffic but would prefer it flow southbound because of the complexities of making a left turn at the 9th Street intersection. He also feel strongly that the 4-way stop remains in place.

- **STAN LEE – 361 Destin Avenue**

Mr. Lee owns the property but does not reside there. He agrees that the road should be one way and stated that while they do travel it southbound more than northbound, the direction of traffic on the one-way ultimately is not important to him. He feels the sidewalks and lighting are very important. He pointed out that this road is highly utilized as part of a tourist walking tour in the summer. He would like to see a retaining wall on the uphill side as well as some landscaping. He added he does not support adding parking spaces as it attracts abandoned vehicles.

Mr. Steffert came up to speak to the comments. He added that CBJ plans to be moving the downtown transit hub from the federal building. area to the SLAM in the near future.

Mr. Levine thanked CBJ staff and public testifiers for taking the time and putting in the efforts to bring this project forward.

MOTION: *by Mr. Levine to adopt CSP2020 0001* and APPROVE it with Directors analysis and findings.

Mr. Eiler objected. Mr. Alper objected stating he would prefer the southbound option.

ROLL CALL VOTE:

YES - Hickok, Alper, Winchell, Voelckers, Levine, Dye

NO - Eiler

The motion passed

Recess 9:17-9:23

Mr. Voelckers left during the recess due to illness

C. **CSP2019 0012:** Planning Commission recommendations for FY2021-2026 Capital Improvement Program

Applicant: City & Borough of Juneau

Location: Borough-wide

Staff Recommendation

It is recommended that the Planning Commission report to the Assembly and its relevant committees that the CIP projects recommended for funding in Draft FY2021, as listed in the attached Draft Resolution 2877 (Dated January 31, 2019), conform to the policies of the Comprehensive Plan.

If additional projects, including the expected projects for Bartlett Regional Hospital, are added by Assembly sub-committees then the Planning Commission review should be updated prior to adoption by the Assembly.

STAFF PRESENTATION -

Tim Felstead, CDD staff, explained the components of the CIP plan and the process to approve CIP plan through Assembly and Planning Commission. The CIP is a six-year program but the Commission is looking at the FY21 portion only at this point.

QUESTIONS FOR STAFF

Mr. Alper had questions about funding for the Capital Avenue project. He noticed the CIP plan shows \$100,000 for this project but it is a more than \$700,000 overall project. Where is the rest of the money? John Bohan, CBJ Engineering, explained that \$600,000 of the project was part of the already approved FY20 CIP funding. The \$100,000 in this FY21 plan will be in addition to that.

Mr. Alper also asked about the Parks & Recreation deferred maintenance and repair item and questioned what, specifically, those funds would pay for and he asked what portion of CIP funds go to cover staff costs on projects.

Mr. Bohan explained the deferred maintenance line item is composed of several small projects for Parks & Recreation facilities. He added that overall, staff costs make up 10% or less of CIP costs.

Mr. Winchell asked about the line item for the Augustus Brown Pool Deferred Maintenance and what projects are included in that. Mr. Bohan explained that particular project was added with voter approval and the entire facility needs an overhaul.

Mr. Hickok asked for clarification of the Commission's directive. Do they have the option to line item veto one project or another? Is the Assembly just looking for Commission approval? Mr. Dye answered that if they were to veto a line item, they would have to be able to demonstrate how the item is not in accordance with the comprehensive plan.

After further discussion, Ms. Pierce explained for the new commissioners the role of the Commission is to review the list for consistency with adopted plans.

MOTION: *by Mr. Eiler to recommend to the Assembly CSP2019 0012.*

The motion passed with no objection

X. **BOARD OF ADJUSTMENT** - None

XI. **OTHER BUSINESS**

AME2019 0015: South Douglas / West Juneau Area Plan Steering Committee
Appointments

Applicant: City & Borough of Juneau

Location: South Douglas/West Juneau

DISCUSSION AND QUESTIONS FOR STAFF:

Mr. Levine noted the qualified applicant pool and questioned the possibility of accepting more than the nine applicants selected. Staff explained that with more members than the nine, it becomes challenging to meet quorum.

Mr. Alper asked about the review criteria and how applicants were selected. Ms. Eddins explained they were looking for diversity to represent as many groups as possible. There are home owners, renters, and landlords with different backgrounds and interests from different locations in the area. Mr. Dye asked if West Juneau was represented. Staff explained that there was only one applicant listing their address as West Juneau and that one was not selected. In spite of staff efforts, they did not get any more West Juneau applicants. Mr. Dye asked if the lack of representation from West Juneau, would that affect the outcome and if West Juneau will still remain in the study area? Staff said it would. Staff added that although there may not be a person on the committee from that area, residents will have opportunity to participate as all meetings are public meetings and they can testify at those meetings as well as communicating with the committee via email or voicemail.

MOTION: *by Mr. Eiler to APPROVE AME2019 0015*

Mr. Dye did not object but did express for the record his concerns that West Juneau was not represented.

Mr. Levine stated for the record that there are two or three applicants that he does not understand why they were not included.

The motion passed with no objection

XII. **STAFF REPORTS**

Maclean reported

- Title 49 Committee is scheduled to meet March 5th at noon
- Auke Bay Committee is scheduled to meet next week
- The Housing Forum will be held this Friday at EP Hall
- Lands Committee is meeting Monday and will be presenting Upstairs Downtown
- Committee of the Whole meetings –
 - March 10 – Overview of Auke Bay plan and two new zoning districts
 - March 24 – Public testimony on Auke Bay plan
- Nonconforming Ordinance, Subdivision Review Committee, Historic and Cultural Preservation Plan are on the Assembly schedule for public hearing on March 16
- Downtown zoning will be at Title 49 on March 5
- There has been interest in training for board members. Would the Commission be willing to do so on a Saturday?

XIII. COMMITTEE REPORTS - None

XIV. LIAISON REPORT – Greg Smith reported on recent Assembly activities. This year is the 50-year anniversary of Juneau/Douglas consolidation and they are working on planning a celebration of that.

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

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

Mr. Dye reminded members to inform himself, Mr. Levine and Ms. Maclean as soon as possible if they will not be able to attend a meeting.

Mr. Eiler said he and Mr. Winchell attended the Alaska Planning Conference in Anchorage and it was a good experience.

XVII. EXECUTIVE SESSION - None

XVIII. ADJOURNMENT – 10:29