

MINUTES
Planning Commission
Regular Meeting
CITY AND BOROUGH OF JUNEAU
Ben Haight, Chairman
March 8, 2016

I. ROLL CALL

Ben Haight, 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 7:01 p.m.

Commissioners present: Ben Haight, Chairman; Paul Voelckers, Vice Chairman; Bill Peters, Percy Frisby, Nathaniel Dye, Matthew Bell, Carl Greene

Commissioners absent: Michael LeVine

Staff present: Rob Steedle, CDD Director; Beth McKibben, Planning Manager; Jill Maclean, Senior Planner; Jonathan Lange, Planner II; Paul Beck, Engineering Assistant II

Assembly members: Debbie White, Assembly Liaison; Jerry Nankervis

MOTION: *by Mr. Peters, that the rules be suspended to elect new officers for the Commission.*

Roll Call Vote:

Ayes: Bell, Dye, Frisby, Peters, Voelckers, Greene, Haight

Nays:

The motion passed.

MOTION: *by Mr. Voelckers, that Chairman Haight formally retain the position of Chairman of the Planning Commission.*

The motion passed with no objection.

MOTION: *by Mr. Bell, that Commission member Paul Voelckers be appointed to the position of Vice Chairman of the Planning Commission.*

The motion passed with no objection.

MOTION: *by Mr. Voelckers, that Mr. LeVine fill the empty seat of Deputy Clerk for the Planning Commission.*

The motion passed with no objection.

II. APPROVAL OF MINUTES - None

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

IV. PLANNING COMMISSION LIAISON REPORT

Planning Commission Vacancy

Assembly Liaison Debbie White reported that there is now a vacancy on the Planning Commission. Ms. White said that she wanted to state that discharging the former Chairman of the Planning Commission was not a process which she wanted to go through publicly. The Assembly was advised by the Law Department that they needed to deal with the situation on a public platform. The Assembly will be advertising for applicants for the vacant Planning Commission seat for 30 days, said Ms. White. It will be about mid-April when that appointment is made, she added.

Renninger Subdivision

The Assembly will be proceeding with the disposition of land within the Renninger Subdivision, said Ms. White. Ms. White said she had noticed that in order for the City to create shovel-ready lots within that subdivision, that it made no money on those lots, since it was so expensive to form the roads, bring the utilities and sewer in, and in general prepare the lots for sale. Ms. White added that in her opinion that if the City wants to truly consider affordable housing, then future revisions of Title 49 may be in order.

V. RECONSIDERATION OF THE FOLLOWING ITEMS - None

VI. CONSENT AGENDA - None

VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS - None

VIII. UNFINISHED BUSINESS – None

IX. REGULAR AGENDA

AME2015 0016: Text amendment to Title 49 regarding parking requirements for senior housing facilities and assisted living facilities.
Applicant: City and Borough of Juneau
Location: Borough-wide

Staff Recommendation

Staff recommends that the Planning Commission forward the following draft text amendments to the Assembly with a recommendation for approval:

1. Delete “convalescent home” from the TMP, as it no longer exists as a use in the TPU.
2. Add “senior housing” as a term in the Definitions section as, “Dwelling units specifically designed for occupancy by persons of fifty-five (55) years of age or older”.
3. Add “senior housing” to the TMP
 - a. Parking requirement is recommended at 0.6 parking spaces per dwelling unit, plus 1 guest parking space for each 10 units, plus 1 parking space per employee.
4. Add “assisted living facility” to the TMP, defined in CBJ 49.80.120 as “a facility providing housing and institutional care for people unable to live independently or without assistance. Assisted living includes facilities that provide nursing care services. Assisted living use that occurs within a single family dwelling is regulated as a single family dwelling use”
 - a. Parking requirement is recommended at 0.4 parking spaces per maximum number residents.

Ms. Maclean said the staff was asked to review the parking requirements in Title 49, specifically to compare the Table of Minimum Parking (TMP) and the Table of Permissible Uses (TPU) to make sure they were cohesive. While “assisted living facility” was added to the TPU, the parking requirements were overlooked, said Ms. Maclean. The staff also discovered that senior housing is not defined, and although it falls under multi-family housing, its’ parking requirements differ from other multi-family uses. Age-restricted units typically have a lower number of residents in a single unit and therefore less drivers and vehicles are required per unit, said Ms. Maclean.

Senior housing does not have a definition in Title 49, said Ms. Maclean. Therefore, the staff recommends the addition of a definition such as, “Dwelling units specifically designed for occupancy by persons of 55 years of age or older.” Convalescent home was removed from the Table of Permissible Uses but it was not removed from the Table of Parking, said Ms. Maclean.

The staff suggests deleting convalescent homes, said Ms. Maclean. They would add senior housing, she said, to the parking table.

The staff feels that for Juneau 0.6 parking places per dwelling unit, plus one guest parking space per 10 dwelling units, plus one parking space per employee should more than satisfy the need for parking for senior housing, said Ms. Maclean.

They would also like to add assisted living facility to the parking table said Ms. Maclean, which is found in the Table of Permissible Uses, but it does not have its own parking requirement, she explained. For this type of facility they recommend 0.4 parking spaces per maximum number of residents, said Ms. Maclean. Assisted living differs from senior housing in that those residing in assisted living cannot really live independently, said Ms. Maclean. In this situation typically the residents would not be driving, either, she said. The cars found in an assisted living facility would be for those visiting or for those working at the facility itself, she said.

One of the recommendations from the Title 49 Committee was to change the number of “beds” to number of “residents”, noted Ms. Maclean. They made the change to parking spaces per number of residents, she said. The staff also reviewed the various plans for the City to ascertain that they were in compliance with those plans, she said. They do comply with the Comprehensive Plan, said Ms. Maclean, which states that they are to; “Facilitate the Provision and Maintenance of Safe, Sanitary and Affordable Housing for CBJ Residents”.

Streets can be expensive to build, noted Ms. Maclean; parking and pavement cost money as well, and it takes up valuable land. If they can reduce the number of parking places required for those types of developments that do not require it as much, it would also aid in the development of housing which is needed here in Juneau, said Ms. Maclean. The Comprehensive Plan also states it is to, “Facilitate the Provision of an Adequate Supply of Various Housing Types and Sizes to Accommodate Present and Future Housing Needs for All Economic Groups”, said Ms. Maclean.

The proposed amendment also complies with the Juneau Non-Motorized Transportation Plan, said Ms. Maclean. She said that more consideration of neighborhood and roadway context will allow consideration of hillsides and steep slopes for example, or of pre-existing sidewalks and infrastructure, said Ms. Maclean. It also complies with the Area Wide Transportation Plan, she noted, which would encourage redevelopment, infill development and compact development.

With the proposed changes, Title 49 now complies consistently across the board throughout Title 49 if these tables are implemented, said Ms. Maclean.

Commission comments and Questions

Mr. Greene asked if the amendment addresses handicapped parking spots.

Handicapped parking would be required per the code, said Ms. Maclean. She added that parking designation already exists within the code.

Mr. Voelckers asked if parking was subject to variance applications.

Ms. Maclean responded that parking is no longer subject to variance applications. She said that is why they were trying to be proactive and correct any parking situations where they knew that the parking did not really fit the development.

Mr. Voelckers asked when this change transpired.

Ms. McKibben responded that this change occurred approximately six months ago.

Mr. Voelckers said it seemed odd to him that the Commission would lose any flexibility to look at parking as a variance issue. He said he felt that the Commission should maintain its ability to evaluate developments on a case-by-case basis.

Mr. Steedle said with these proposed amendments they are moving ahead on two fronts: they are taking a look at variances generally, and what should and could be varied, and secondly they are taking a broader look at the parking requirements in Title 49. They wanted to implement this change to facilitate the progress of the projects which are currently underway within the community, noted Mr. Steedle.

MOTION: *by Mr. Peters, to move AME2015 0016, and to accept the staff's findings, analysis and recommendations.*

The motion passed with no objection.

CSP2015 0018:	A City Project Review for installation of new bus stops on Yandukin Drive and Davis Avenue
Applicant:	City and Borough of Juneau
Location:	Yandukin Dr. at Shell Simmons Dr.; Davis Ave at Montgomery St.

Staff Recommendation

Staff recommends that the Planning Commission recommend to the Assembly that CSP2015 0018, City Project Review for installation of new bus stops on Yandukin Drive and Davis Avenue is consistent with Title 49 and the 2013 Comprehensive Plan, with the following recommendations:

1. Yandukin Drive: Sidewalks, crosswalks, and signage shall be installed on Yandukin Drive and Shell Simmons Drive to connect the airport and sidewalk facilities to the proposed

bus shelters so that pedestrians may access the airport and transportation system in a safe manner.

2. Yandukin Drive and Davis Avenue: Bus shelters shall be illuminated for bus passenger safety.

The City project for review before the Commission is for the installation of new bus shelters in two areas, said Mr. Lange. Two new bus stops and shelters are proposed for Yandukin Drive, north of the airport parking lot, said Mr. Lange, and a bus stop is proposed to be relocated on Davis Avenue in the Lemon Creek area, he said.

These proposed changes are in an effort to meet the current bus time schedule, said Mr. Lange. The proposed bus shelters on Yandukin Drive would allow for buses to drop passengers off for the airport, but continue on Yandukin north or south without having to loop through the airport on Shell Simmons Drive, said Mr. Lange.

Both Department of Transportation (DOT) and airport representatives expressed that their main concerns with this plan were over public safety, said Mr. Lange. It is a further location from the airport, noted Mr. Lange. It would be the most ideal if a sidewalk from the airport to the proposed bus shelters could be provided, said Mr. Lange. They also expressed concern about the times of year when the proposed bus shelters would need to be cleared from snow, he said.

The other proposed bus shelter is located on Davis Avenue in the Lemon Creek area, said Mr. Lange. The existing bus stop is close to the corner of the intersection of Davis Avenue and Glacier Highway, said Mr. Lange. The proposed bus shelter would be located approximately a block back from the existing shelter, said Mr. Lange. He explained that the proposed relocation of the existing bus shelter on Davis Avenue would allow for the bus to have more space and distance to maneuver into the left turning lane, to turn left onto Glacier Highway at the intersection of Davis Avenue and Glacier Highway, and would prevent buses from blocking traffic at the intersection.

The staff recommends approval of the projects with the above referenced conditions, said Mr. Lange.

Commission Comments and Questions

Mr. Voelckers noted that the home owner where the proposed bus stop would be located has stated that there are no other locations in Juneau which have a bus shelter placed in front of the residence. He asked if Mr. Lange could expound upon this statement.

Mr. Lange stated that while there were some bus stops located in front of people's homes, that bus shelters were another situation. He said there are bus shelters which are located near the

vicinity of people's homes but perhaps not at the same angle as the proposed bus shelter. The proposed bus shelter would be located on a City right-of-way, noted Mr. Lange. Mr. Lange did concur that the proposed bus shelter was located right in front of the couple's residence.

Mr. Bell asked if there was available space along the road to move the proposed bus shelter either further forward from the residence or further back from the residence.

Mr. Lange said Capital Transit had considered the location between two driveways, but had discarded it as impinging upon the drivers coming to and from their driveways.

Mr. Greene asked what the determining factors were for the provision of a bus shelter as opposed to a bus stop. He asked if there was the option to have simply a bus stop at that location and not a bus shelter.

That could be a suggestion coming from the Commission, said Mr. Lange. The Capital Transit Plan encourages the construction of bus shelters wherever possible, said Mr. Lange.

Mr. Frisby asked how much room the construction of a bus shelter would take. He asked if it would encroach upon the sidewalk.

The sidewalk would not be impeded by the shelter, responded Mr. Lange.

Chairman Haight asked how close the shelter would need to be located next to the bus stop.

Mr. Lange said that would be a question for the Capital Transit staff. He said typically the bus shelters are the bus stop. It could possibly be a concern of Capital Transit's that the time taken for the passengers to traverse from the bus shelter to the bus stop would impede transit times, said Mr. Lange.

Mr. Greene asked if this is a popular bus stop used by numerous passengers.

Mr. Steedle said they do have that data as a result of the Transit Improvement Plan conducted several years ago, but that those numbers were not currently available.

Mr. Voelckers asked Mr. Beck if the language stating that bus shelters needed to be illuminated for safety applied to lighting within the shelter or if that involved lighting placed outside of the bus shelter.

Mr. Beck said he did not create that verbiage and that he had no idea. He said that information was under the purview of the CDD (Community Development Department).

Mr. Voelckers asked Mr. Lange if he could elaborate on the type and placement of the lighting, or if it had yet to be specified.

Mr. Lange answered that the lighting has not been specified and that with the exception of the Federal Building bus shelter, that no other shelters had lights within the structure. He added that the Capital Transit Plan suggests that lighting be installed within the structures.

Mr. Frisby asked why the bus shelter proposed for Davis could not be moved across the street underneath the existing street light.

Mr. Beck said from what he understands that a bus shelter based across the street from the proposed Davis Avenue bus shelter location created a hazard by requiring individuals to cross the street. He added that with the stop on the opposite side of the street, the passengers would then need to ride the bus all the way into Lemon Creek and back out again before they could proceed to town.

Mr. Peters asked if there are currently sidewalks on the opposite side of the street.

Mr. Beck answered that there are no sidewalks on the opposite side of the street from the proposed bus shelter location on Davis Avenue.

Mr. Voelckers said that there is a separated pedestrian walk zone on the south easterly side of the street.

Mr. Beck said that Mr. Voelckers was right about that.

Mr. Beck said a crosswalk or some type of arrangement would need to be made to make crossing to that side of the street more safe.

Mr. Voelckers said there would be the potential to even have a small pullout lane for the bus on the opposite side of street.

Mr. Beck agreed, stating that there is plenty of room on that side of the street to install a possible bus shelter and pullout lane.

Chairman Haight asked Mr. Beck if during his discussions with airport staff if there had been discussion of placing the shelter based on the parking lot side of Yandukin tucked in to the parking lot, so that the parking lot became a means of access to the airport terminal building.

Mr. Beck said although he had not discussed this with airport staff, that this was something that he considered, because it would be much safer for the bus travelers to walk to the airport building.

Chairman Haight asked where the crosswalk would be located that would provide the crossing between the two proposed bus shelters on Yandukin Drive.

Mr. Beck replied they had not yet reached that point in the planning process. He said they want to serve the airport and they also want to serve the hotel located near the proposed shelter area.

Public Comment

Juneau resident Mukhya Khalsa, whose home is located right behind the proposed bus shelter on Davis Avenue, said the traffic in the area is high twice a day. She said during those busy periods that the traffic waiting to make a left turn backed up past her home. Therefore, she said, moving the bus stop to in front of her house would not ease the traffic problem during those busy times at all. She said the City had gone to the State and asked for help with this issue and requested that the State create turnouts onto Glacier Highway as well as a traffic light and pullouts for the bus stops. This would eliminate the need for a bus stop in front of her home, she said. The State plans on beginning work on the corridor from the old Walmart location to Lemon Creek with federal funds the summer of 2017, said Ms. Khalsa.

Juneau resident Mary Alice McKeen said she was friends with Mukhya and Hari Dev Khalsa. Ms. McKeen said when she heard of the proposed plans for the bus stop that she felt it was, "unfair, unjust and possibly arbitrary". She said there are no other covered bus shelters essentially located in a resident's front yard. If they located the shelter in front of her friend's home, said Ms. McKeen, they would be asking a home owner to experience a burden that no other property owner within Juneau had to experience. To justify moving the shelter in front of her friend's home, she said, the CBJ would need a very good reason to justify such an occurrence. Ms. McKeen said the affected property owner has provided good evidence that an action of this type would reduce the property value of her home. The State's plan would solve this problem, said Ms. McKeen, at no cost to the City.

Mr. Hari Dev Khalsa told the Commission that he did not understand why the City thought that no one crossed the street in order to catch the bus. He said that occurs in dozens of places all over town, and that there was much less traffic on Davis Avenue than for the proposed bus stops on Yandukin.

Chair Haight asked Mr. Khalsa if he could estimate the number of individuals who took the bus at the Davis Avenue location. Mr. Khalsa said in the morning a lot of people took that bus to town to work.

Mr. Voelckers asked if the existing bus stop handles both inbound and outbound traffic.

Mr. Khalsa said the bus stop handles both inbound and outbound traffic.

Mr. Greene asked what the City would do with the proposed bus stop when the State installed bus stops in the immediate vicinity.

Mr. Beck answered they would probably do away with the City bus stops when that happened.

Mr. Frisby said he felt it was time to sit down with the State and obtain its time frames for construction of bus stops in that Lemon Creek area. He said if the State was going to be installing bus stops that it appeared to him it would be a waste of City money to place new bus stops in that area.

Chairman Haight asked if the State builds the pullouts that have been mentioned, if the City would be responsible for paying for shelters in those locations.

Mr. Beck answered that under similar circumstances the State has installed shelters, such as in the Industrial Boulevard area.

MOTION: *by Mr. Voelckers, that the Commission accept the staff's findings, analysis and recommendations in relation to the Yandukin Drive bus stop proposal, but that the Commission suspend making a decision regarding relocation of a bus stop on Davis Avenue until the City has had a chance to coordinate with the State on the timing and the specificity of possible state-installed bus stops along Glacier Highway.*

Roll Call Vote:

Ayes: Greene, Dye, Frisby, Bell, Peters, Voelckers, Haight

Nays:

The motion passes.

X. BOARD OF ADJUSTMENT

VAR2015 0030:	A Variance request to the requirement for access on publicly maintained right-of-way for a proposed minor subdivision. Proposed access is a private easement.
Applicant:	Olmo, LLC.
Location:	North Douglas Highway

Staff Recommendation

Staff recommends that the Board of Adjustment adopt the Director's analysis and findings and DENY the requested Variance, VAR2015 0030.

MOTION: *by Mr. Peters, that based upon the request of the applicant, that this item be continued until the March 22, 2016 Regular Planning Commission meeting, and be addressed at that time under “Unfinished Business”.*

The motion passed by unanimous consent.

Mr. Voelckers asked Mr. Steedle when he thought the changes would take place in Title 49 regarding access to and from small subdivisions composed of a few lots. He said it would be nice to have this information in place for when this item appeared before the Commission again.

Mr. Steedle answered that the applicant is not interested in waiting for changes to take place within Title 49. At the last meeting they held with the Law Department they were very close to having drafted language on this issue to bring back to the Commission, said Mr. Steedle. Mr. Steedle estimated this language was several weeks away before being ready for subdivision review.

Mr. Voelckers said this creates an awkward dilemma for the Commission. He said he would appreciate getting something before the Commission in the near future. He said he felt it would help clarify whether this item which will be coming before the Commission needs a variance or not.

XI. OTHER BUSINESS

Chairman Haight said he had discussed with Mr. Steedle the opportunity for the Commission to meet with the Assembly in a Committee of the Whole meeting in the near future after the new mayor is seated on the Assembly. He said he would like the Commission to meet with the Assembly to discuss their roles and relationships and to discuss the objectives for the remainder of the year.

The Commission also needs a thorough training session for its large influx of new Commission members, said Chairman Haight. Chairman Haight proposed another committee of the whole meeting for the purposes of training new Commission members and also to address any CDD topics which are dealt with by the Commission on a regular basis such as CUP's (Conditional Use Permits) and variances, the role of Title 49, and how the CDD staff deals with the applications that it receives and the Commission's role in this process. Chairman Haight said he would like this Committee of the Whole meeting to take place prior to a regular Planning Commission meeting, if possible. Chairman Haight said he would like to wait until the full complement of commissioners was available.

Mr. Voelckers said he felt that both of the ideas put forth by the Chairman were very good ideas. He added that it would be nice if the Commission could get together within the next week or two in a more casual setting, such as a retreat providing Commission members with a chance to talk about their roles as Commission members and to perhaps discuss sub-committee

topics as well. They would need to provide public notice for this type of meeting, added Mr. Voelckers, who suggested a Saturday morning in the near future for a meeting time.

Mr. Frisby said he felt it would be most apropos to conduct this type of meeting after the new Commission member was seated on the Commission. He added that as a new member there is a very high learning curve to get up to speed on the plethora of issues the Commission must become familiar with.

Mr. Greene said it made a lot of sense for the Commission to get together but that he would like to wait for the new mayor to come on board and for the new Commission member to join the Commission. He said he also saw no problem with a less formal meeting of the current Planning Commission members.

Mr. Bell said he would like to wait for any special Commission meetings until the new Commission member had joined the group.

Mr. Dye asked if there was a timeline as to the appearance of a marijuana Conditional Use Permit before the Commission.

Mr. Steedle said a marijuana Conditional Use Permit would be before the Commission at its regular March 22, (2016) meeting.

Mr. Dye said he would appreciate getting together with the Commission before the next regular meeting to discuss Conditional Use Permits and other items.

Mr. Steedle said he felt that a March 19, informal meeting of the Commission gave the staff too little time to prepare information requested by each Commission member. He said he does agree that it is a good idea for the Commission to get together as soon as possible, but that a March 19, date provided too little time for staff preparation.

Mr. Voelckers said at least in his own mind the purpose of the meeting was not so much about having specific information provided to the Commission by the staff, but rather a chance for Commission members to simply get together and have the opportunity to talk with one another outside of the more restrictive purview of a Regular Commission meeting.

Mr. Steedle said it would need to be an open meeting, properly noticed, but that the agenda could be quite loosely defined.

Mr. Voelckers suggested that he and Chairman Haight create a small agenda and run it through the Law Department and through the CDD Director.

Ms. McKibben added that the staff is always available to answer any questions any Commission members might have such as about Conditional Use Permit processes. Ms. McKibben said they

encourage Commission members to contact the pertinent staff with questions prior to any Commission meeting.

Mr. Bell said he liked the idea of the Chairman and Vice Chairman drawing up a loose agenda for an informal Commission meeting.

MOTION: *by Mr. Frisby, that the Chairman and Vice Chairman put together a loose agenda for an informal Commission meeting which they would coordinate with the CDD staff and the Law Department.*

The motion passed with no objection.

Chairman Haight said with the changes on the Commission there will be some slight adjustments to committee appointments. He said since he is now Chairman he would be leaving a committee seat on the Wetlands Review Board open for a new member.

Chairman Haight also reminded Commission members that they have APOC items to deal with.

XII. DIRECTOR'S REPORT

Mr. Steedle said he encouraged the Commission to all attend the Lemon Creek Neighborhood Plan kickoff slated for Thursday, March 17, at 5:00 p.m. at the DZ Commons.

XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES

- January 4, 2016 Lands and Resources Committee Meeting - None
- February 2, 2016 Lands and Resources Committee Meeting - None
- January 4, 2016 Public Works and Facilities Committee Meeting - None
- February 2, 2016 Public Works and Facilities Committee Meeting - None

XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS - None

XV. ADJOURNMENT

The meeting was adjourned at 8:36 p.m.