

MINUTES
Planning Commission
Regular Meeting
CITY AND BOROUGH OF JUNEAU
Nicole Grewe, Chair

January 26, 2016

I. ROLL CALL

Nicole Grewe, Chair, 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 7:07 p.m.

Commissioners present: Nicole Grewe, Chair; Ben Haight, Vice Chair; Bill Peters, Michael LeVine, Percy Frisby, Nathaniel Dye, Matthew Bell, Paul Voelckers, Carl Greene (telephonically)

Commissioners absent:

Staff present: Rob Steedle, Community Development Director;
Beth McKibben, Planning Manager; Laura Boyce, Senior Planner;
Eric Feldt, Planner II; Allison Eddins, Planner I

II. APPROVAL OF MINUTES

- December 22, 2015 – Regular Planning Commission Meeting

MOTION: *by Bill Peters, to approve the minutes from the December 22, 2015, Regular Planning Commission meeting with any minor corrections by staff or Commission members.*

The motion passed with no objection.

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

IV. PLANNING COMMISSION LIAISON REPORT

City Manager Search

Assembly Liaison Debbie White reported that the search for a new city manager has been narrowed in scope by the Assembly, and they are getting closer to the selection of a new city manager.

Special Election

There will be a special election to fill the seat that is currently vacant for the District 2 Assembly seat due to the resignation of Assembly member Karen Crane. District 2 encompasses Auke Bay, Lynn Canal, and all four Valley districts. The Assembly will be accepting applications until February 8, 2016. The Assembly will review those applications on February 11, 2016 and possibly on February 12, 2016 depending upon the number of applicants.

V. RECONSIDERATION OF THE FOLLOWING ITEMS - None

VI. CONSENT AGENDA

STV2015 0002:	Extension request for street vacation STV2013 0001 to vacate a portion of Gastineau Avenue to allow the rebuilding on an 8-plex on an existing foundation.
Applicant:	Owen & Kami Clark
Location:	331 Gastineau Avenue

Staff Recommendation

Staff recommends that the Planning Commission adopt the Director's analysis and findings and **approve** the requested Street Vacation Extension. The permit would grant a partial street vacation of approximately 347 square feet to the applicant in order for an 8-plex to be reconstructed on an existing foundation. The 347 square feet is the portion of the foundation that encroaches into the right-of-way. The extension will give the applicant 18 months to record a plat to make the street vacation complete.

The approval is subject to the following conditions:

1. A retention structure shall be constructed to protect the building from debris falling from the road;
2. A plat must be recorded to show the adjusted property line;
3. An AELP utility easement shall be shown on the plat

Advisory Condition:

4. Any structure that provides access to the building from Gastineau Avenue will need to provide safe access to the street and shall not interfere with pedestrian improvements along Gastineau Avenue.

Commission Comments and Questions

Mr. LeVine asked about the scope of authority of the Commission. He asked if there were certain limitations placed upon the Commission regarding extensions. He asked if the Commission was required to grant an extension or if it could take other action.

Ms. Eddins said the City Code plainly lays out what the Planning Commission is allowed to

consider when considering development permit extensions. The staff needs to make sure that the application was received in a timely manner, which is 30 days before the permit is scheduled to expire, explained Ms. Eddins. The application was received in a timely manner, said Ms. Eddins. The second criteria is that the applicant is required to provide a burden of proof to justify their need for an extension, she explained. The applicant has fulfilled this criteria by citing time constraints and financial hardship as the reasons why he was not able to get a plat recorded within the time period of the existing permit, said Ms. Eddins.

The code allows for two 18 month extension requests, said Ms. Eddins. This is the first request for an extension, she noted. The staff must provide proper public notice for the extension request, said Ms. Eddins. That criteria has been met, she said. The extension request has met the additional requirements as stipulated in the code, said Ms. Eddins. The conditions of the preliminary permit have not been changed, said Ms. Eddins, nor can they be changed for an extension request.

If the Commission desired to amend a condition, move a condition or add a condition, then it would not be allowed to approve the extension permit request, said Ms. Eddins. The applicant would then need to apply for a new street vacation, said Ms. Eddins. The extension can either be granted as it currently exists, or if the Commission desired to make changes, the applicant would need to file a new application for a street vacation, she said.

Mr. LeVine asked what factors the Commission is allowed to consider when deciding whether to approve or deny the street vacation extension request.

Ms. McKibben answered that the Commission needs to decide if the applicant has met the burden of proof for the extension request. If the Commission decides that the applicant has given justified reasons for the extension request, then it can grant the extension, said Ms. McKibben. If the Commission decides that the applicant has not met his burden of proof, then they could deny the extension request and the applicant could file a new application, said Ms. McKibben.

Mr. LeVine clarified that the only decision the Commission can make is if the burden of proof by the applicant for the extension request has been met.

Ms. McKibben concurred.

MOTION: *by Mr. Haight, that the Consent Agenda be approved with the staff's analysis and findings, and asked for unanimous consent.*

The motion passed by unanimous consent.

VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS - None

VIII. UNFINISHED BUSINESS - None

IX. REGULAR AGENDA

USE2015 0012: A Conditional Use Permit for a 60-unit condominium development.
Applicant: PK2M, LLC
Location: 12410 Mendenhall Loop Road

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 60-unit condominium development. The approval is subject to the following conditions:

1. Prior to issuing a Building Permit, the applicant must submit a plan which ensures snow storage and plowing are maintained and done in a manner as to not impact adjacent property, unless permission is granted on adjacent CBJ land.
2. Prior to issuing a Building Permit, the applicant must submit a plan which ensures material during construction does not impact adjacent property by use of installing silt fences or other measures.
3. Prior to issuing a Building Permit of Building F, the applicant shall design noise buffers along the back exterior wall of the dwelling space of Building F. The chosen material shall be coordinated with the Community Development Department.

Mr. Feldt told the Commission that applicant Pat Kemp is requesting a conditional use permit for a 60 unit condominium development in the Auke Bay area. The applicant has revised their application and removed their request to subdivide the property, said Mr. Feldt. Obtaining a subdivision permit prior to the Conditional Use Permit would prolong the process for the applicant, said Mr. Feldt, and the applicant wants to proceed as quickly as possible with development.

The Conditional Use Permit is triggered by the number of units proposed, said Mr. Feldt, within the Light Commercial zoning district. The property is surrounded by various zoning districts, he said. The subject parcel is surrounded on the north by the bus barn on the Back Loop Road zoned D-15, said Mr. Feldt. To the south, zoned General Commercial, is the AEL&P electrical substation off of the Back Loop Road, to the east zoned D-5 off of Back Loop Road is the University of Alaska Southeast, and to the west zoned D-3 off of Glacier Highway is Auke Bay Elementary School, he said.

The property is vacant and has been used as a construction storage yard for the past couple of years, said Mr. Feldt. The Department of Transportation (DOT) allows only one access point

from the property to the Back Loop Road, said Mr. Feldt. The site has been laid out in three rows, he explained. Between each row is the site circulation area which will be paved between the buildings, said Mr. Feldt. All of the units have associated garages, he said. The units are situated so that each row of buildings has a view of Auke Bay, he said. The site is 3.43 acres, and is one of the largest vacant properties remaining in Auke Bay, said Mr. Feldt. Additional vegetation may need to be planted to fulfill the Conditional Use Permit and building permit requirements, he said.

The dwelling units will be a mixture of one, two and three bedroom units, said Mr. Feldt. There are also several storage units which will be available for condominium owners to purchase or for members of the general public to purchase, said Mr. Feldt. The parking requirement for the project is 113 parking spaces, said Mr. Feldt. The location of the parking spaces within the project can be arranged in whatever configuration the applicant desires, as long as they comply with CBJ parking standards, said Mr. Feldt.

Trips of 349 car trips a day have been forecasted, said Mr. Feldt. Based upon the development conditions and the use of storage units, the CDD Director did not find that a Traffic Impact Analysis (TIA) was warranted, he said. The staff also consulted DOT about the project, and they agreed that a TIA would not be necessary at this time, he added.

Corresponding to the requirements for a Light Commercial District, the side yard setbacks are 25 feet along the front of the property which faces the Back Loop Road, 10 feet along the rear of the project which is the lot line facing Auke Bay School, and 10 feet along both sides, said Mr. Feldt. The vegetative cover requirement is approximately one half an acre, said Mr. Feldt. The maximum height allowed in this zoning district is 45 feet, he said. The project complies with all of the required zoning elements, said Mr. Feldt.

The recent update of the Auke Bay area plan, said Mr. Feldt, has modified the land use designation of the Comprehensive Plan to a Traditional Town Center from Marine Mixed Use. The Comprehensive Plan recommends high density housing and commercial to create the Auke Bay town center, he said. Under current Title 49 regulations a minimum density has not been stipulated, said Mr. Feldt. The market will dictate how the density comes into play, said Mr. Feldt, noting that low density development is not prohibited.

Additional policies within the Auke Bay Area Plan include protecting the view shed which this project does, and the enhancement of pedestrian connections, said Mr. Feldt. There are existing sidewalks on both sides of the Back Loop Road in this area and as the proposal was presented to the staff, they recommended connecting this project site to Auke Bay Elementary School via a pedestrian path, he said.

Due to the paved roads between the building structures snow removal equipment can easily

move between the rows for that purpose, said Mr. Feldt. They can plow the snow to the back of property, he said.

Staff recommends that all construction debris or any mud or silt that is caused by construction remain on the site. That also applies to snow storage during the winter, said Mr. Feldt. The AEL&P backup generator site is located next to this property, said Mr. Feldt. CDD staff contacted AEL&P and asked if there had been any complaints about noise from the generator, he said. AEL&P stated that they do receive complaints about noise from residents who reside on Caroline Street, he said. This project is roughly the same distance from AEL&P, said Mr. Feldt. Therefore, staff recommends that the dwelling portion located on the back wall of this building be enhanced with noise barrier elements, said Mr. Feldt. The staff recommends that the applicant review the materials that will be used for the noise barrier elements with the CBJ building official, he said. The applicant and the building department are both comfortable with this arrangement, he added.

Therefore the staff recommends approval of the conditional use permit, said Mr. Feldt.

Commission Comments and Questions

Mr. Voelckers requested a graphic which shows the general outline of the traditional town center resulting from the Auke Bay Area Plan.

Mr. Feldt displayed the Community Charrette map of the Auke Bay core area. He showed the Commission the Auke Bay core boundary. This area will experience future changes to the zoning regulations, he said. The staff is being careful not to implement too many changes too soon thus completely changing the existing harmony of the neighborhood, said Mr. Feldt. The condominium development under discussion lies within the core boundary for the Auke Bay area, said Mr. Feldt.

Mr. Voelckers asked if the condominium project overlaps with the proposed traditional town core.

There is some overlap, said Mr. Feldt, but no real inconsistencies are created by the project. A site with a driveway which could have pedestrian access through the site down to the school would accomplish goals within the plan, he said. A large component of adopting and implementing the Auke Bay Area Plan is coordination between private property owners and the government, and between government agencies, said Mr. Feldt.

Applicant Pat Kemp (telephonically)

Mr. Kemp said from the very beginning of the project they have kept the Auke Bay Plan in mind. They attended all of the Steering Committee meetings and worked with the Community Development Department. They are very cognizant of the need for pedestrian access, he said.

He said they are amenable to do even more work on their development to bring it in line with the Auke Bay Plan, he said.

MOTION: *by Mr. Haight, to approve USE2015 0012 with analysis, findings and recommendations as presented by staff.*

Speaking in support of the motion, Mr. Voelckers said he liked that the applicant was willing to support the Auke Bay Area Plan. He said it is one of the largest remaining parcels in the area which provides lots of opportunity to adhere to the Plan. He said as the project and the area plan mature he hopes the applicant can work with the City to implement further beneficial strategies to develop connectivity with the area.

The motion passed with no objection.

X. BOARD OF ADJUSTMENT - None

XI. OTHER BUSINESS

Alaska Department of Transportation and Public Facilities Verbal Update - Pat Carrol

Pat Carrol, the South Coast Region Preconstruction Engineer for the Department of Transportation (DOT), provided an update for the commission on 2015 DOT projects, as well as 2016 and 2017 Projects.

The biggest project for the community has been the Brotherhood Bridge replacement, he said. That project has largely been completed in 2015, he said. They still have some striping to complete over the bridge, said Mr. Carrol. That will be completed this spring, he added. They repaved Fritz Cove Road, and widened that road slightly with four foot shoulders, he said. In conjunction with the CBJ, they repaved 13 Valley streets, said Mr. Carrol. They repaired the Egan Drive bike paths between the McNugget intersection and Mendenhall Loop Road. They replaced a bridge near McDonald's, he said.

Out the road on Amalga Harbor road they wrapped up the bridge reconstruction replacement and they resurfaced the bridge along Douglas Highway at Lawson Creek, he said. They put in avalanche gates on Thane Road he said, enabling them to close the road if necessary due to avalanche hazards. They also completed a Highway safety improvement project on Thane road in which they added guardrails along that route. They also completed work at the Auke Bay Ferry Terminal at the marine facilities location, he said. Work on the bike path from Engineers Cutoff to Auke Lake is to be completed this June, he said.

For 2015, DOT completed \$37 million worth of work, said Mr. Carrol.

Upcoming construction season:

- Glacier Highway from Lena to Tee Harbor - pavement rehabilitation project \$3.5 million completion August 2016
- Mendenhall Valley adaptive signal control systems - improved detection systems in signals and give them capability to adjust timing according to traffic - \$1 million
- Egan Drive salmon Creek intersection repaving
- Complete repave From Loop Road to 10th Street including widening of Salmon Creek Bridge with the addition of acceleration lanes from the hospital outbound - Deceleration lane from Egan Drive exiting onto Channel drive – \$16.5 million completion August 30, 2016
- Glacier Highway from Fritz Cove to Seaview - project out for bid in March 2016 - with construction beginning this summer - \$17 million - curb gutter and sidewalks both sides of the street with lighting - left turn lane from the roundabout to Seaview - curb realignment on the old fish lab at corner
- Douglas Highway sidewalk extension from Gastineau School to Crow Hill Drive - \$400,000
- Guard rail project out the road from the Breadline Bluff Trail parking area to the entrance of the Shrine of St. Therese
- South Coast region culvert repair and replacement - 12 culverts on Egan Drive - two culverts on North Douglas Highway - two culverts on Douglas Highway - \$750,000
- Juneau access project - completion fall 2016

Mr. Carrol said the total for upcoming work for Juneau for 2016 is approximately \$39.5 million.

For 2017 and later:

- Auke Bay ferry terminal modifications to accommodate Alaska class ferries
- Glacier Highway Twin Lakes to the old Walmart location - sidewalks on both sides of the road with pedestrian islands
- Roundabout at Renninger intersection
- Possibly a signal at the Davis intersection
- Repaving Egan Drive from Main to 10th Street

- Traffic lane reconfigurations between Willoughby and Main streets - one lane section each way with center turn lanes - public involvement will be included
- Widening of Industrial Boulevard with sidewalk on one side of the road with a potential intersection reconfiguration where the street joins Glacier Highway

2018 Projects:

- Mendenhall Loop Road improvements with a roundabout at Stephen Richards, a roundabout at Floyd Dryden, and one at Mendenhall and Valley Boulevard - not yet fully funded
- Egan Drive, Riverside Drive intersection improvements

Possible Projects for the future:

- Roundabout at Riverside and Stephen Richards intersection to replace the flashing intersection light
- Egan Drive and Yandukin intersection at Fred Meyer

Commission Comments and Questions

Mr. Voelckers asked about the nature of the public comment regarding the road improvements from Egan to Main Street.

Mr. Carrol responded the nature of the public comment focused on the reduction of the traffic lanes. Concern was also expressed on how the signal would then function at Main Street, said Mr. Carrol. He said within the next month or two public meetings on this issue would be held.

Mr. Haight said public comment has frequently been received regarding the traffic flow across the Douglas bridge. He asked what plans DOT had for that area.

Mr. Carrol said there are currently no projects planned for that area. He said they cannot widen the bridge. There had been some talk about removing the sidewalks from the bridge, but that was deemed as not feasible, he said.

Mr. Voelckers asked if there was any chance that DOT may be an active player in a second channel crossing. He asked if there would be a possibility of federal funds becoming available for that type of project.

It was a possibility, said Mr. Carrol, with competition statewide for the funding. He did say that Juneau has been experiencing flat growth as far as traffic volume is concerned.

Mr. LeVine asked how much certainty there was on funding for the uncompleted projects with the current state fiscal crisis.

Mr. Carrol said most of the projects he has discussed except for a few of the future projects are funded.

Committee Assignments

Subdivision Review Committee

- ✓ Paul Voelckers
- ✓ Bill Peters
- ✓ Nathaniel Dye
- ✓ Carl Greene
- ✓ Michael LeVine, alternate

Title 49 Committee

- ✓ Bill Peters
- ✓ Michael LeVine
- ✓ Paul Voelckers
- ✓ Nathaniel Dye
- ✓ Ben Haight, alternate

Public Works and Facilities Committee

- ✓ Michael Bell

Lands Committee

- ✓ Carl Greene

Juneau Commission on Sustainability

- ✓ Percy Frisby

Wetlands Review Board

- ✓ Ben Haight
- ✓ Percy Frisby

XII. DIRECTOR'S REPORT

Housing Data Verbal Report - Eric Feldt

Mr. Feldt said he would be presenting information on commercial development, residential subdivisions, rezones, adopted plans and projects, and what to expect in 2016. Residential development will be broken down into single family detached homes, attached homes and duplexes, multifamily dwellings, three and four-plexes, and accessory apartments.

The number of building permits issued from 2011 to 2014 show strong growth within the community, said Mr. Feldt. 2015 was a slow year, he said. Mr. Feldt showed the Commission on slides where the various residential developments have occurred in Juneau over the past year.

Residential Growth

This includes over nine apartments adjacent to the Auke Bay post office, the 13 unit Cannery Cove condominium development, growth in the Montana Creek West subdivision largely in the form of single-family dwellings, single-family properties on Easy Street and Keegan Street, which is an area which is flat and completely prepared for development, said Mr. Feldt.

In the southern Valley there are condominiums being developed behind McDonald's, said Mr. Feldt. There have been other developments along Jordan Avenue as well, said Mr. Feldt. There are two new apartment complexes under development, he said.

In 2015, in spite of the overall decrease in building permits, single-family detached homes were strong with 60 new home builds, he said. The issued permits for common wall (dwellings each on their own land sharing a common wall) and duplex dwellings (two dwellings connected on one lot) in 2015 was high as well, said Mr. Feldt. Three-plexes and four-plexes have been low in construction, but in 2014 construction of these units was rather high, said Mr. Feldt. New multi-family units includes apartments and condominiums, showing strong growth in 2014, he said.

The construction of accessory apartments has been growing over the years, said Mr. Feldt. As homes become more expensive homeowners find new ways meet those expenses, and a popular approach is to incorporate accessory apartments, he said. Recently the number of allowable bedrooms for accessory apartments has been increased in addition to the overall space for that accessory unit, said Mr. Feldt. It is anticipated that 2016 will be another strong year for accessory apartments, said Mr. Feldt. The accessory apartment grant program has been very popular, said Mr. Feldt, in which the first 12 applicants who file for a building permit for an accessory apartment and build it within a calendar year can receive \$6,000.

Adding up all of the figures from 2010 to 2015 totals 619 dwelling units, said Mr. Feldt. That is an average of 127 dwelling units per year, he said.

Commercial Growth

Mr. Feldt reported that the majority of commercial growth which has taken place in Juneau for 2015 consists of the modification of existing buildings. There is a new three unit boat condo on Industrial Boulevard, with seven new seasonal retail businesses which are erected every summer on the waterfront on South Franklin, said Mr. Feldt. There is a new spa, a new greenhouse and a new salon, he said. A two unit boat condo has been constructed in Lemon Creek, said Mr. Feldt. Permits have also been issued for two new childcare businesses, he said. Mr. Feldt said he has been noticing a lot of in-home childcare providers as opposed to childcare centers or facilities.

Subdivisions

There are a lot of subdivisions which have been moving lot lines, and subdivisions which may consolidate multiple lots into one parcel, said Mr. Feldt. He said a lot of new growth in subdivisions is the result of splitting one lot into two lots. There were many of those, he added. Subdivisions can take up to a year or more to plat, said Mr. Feldt.

Rezones

There were 43 lots rezoned in North Douglas involving 280 acres, said Mr. Feldt. The rezone results in a gain of 100 more dwelling units for a maximum buildout of 400 units, he said. Much of this land is undeveloped, said Mr. Feldt, meaning that there would be a large outlay of investment for developers. There were multiple zones which underwent changes, noted Mr. Feldt.

One 20 acre lot was rezoned near Fred Meyer, said Mr. Feldt. This reflected a zoning change from D-5 to D-18 with a gain of 230 more dwelling units for maximum buildout a 354 units, he said.

There is also a rezone of three lots near Pederson Hill of four acres reflecting a zoning change from D-(T)D-10 to D-3, he said. This results in two more dwelling units for a maximum buildout of four units, said Mr. Feldt. This land is located on the opposite side of Glacier Highway from Auke Lake near Industrial Boulevard, he said.

2015 Title 49 Changes

- ✓ Adopted Auke Bay area plan
- ✓ Revised sign code fees
- ✓ Amended WCF (Wireless Communication Facility)
- ✓ Revised subdivision regulations
- ✓ Revised remote subdivisions

- ✓ Revised accessory apartment regulations
- ✓ Created transitional housing definition
- ✓ Amended childcare and daycare regulations
- ✓ Provisions for marijuana land uses

2016 CDD Plans and Ordinances

- ✓ Auke Bay rezones and development standards
- ✓ Street and access standards
- ✓ Lemon Creek Neighborhood Plan update
- ✓ CBJ Wetland Management Plan
- ✓ Update table of park standards
- ✓ Adopt new housing action plan
- ✓ Create mural ordinance for downtown
- ✓ Marijuana regulations
- ✓ Amend sign code

2016 Major Community Projects/Happenings

- ✓ New recreational marijuana businesses
- ✓ Rezones: Honsinger Pond, Vintage Park, North Douglas, and Mendenhall Peninsula
- ✓ Completion of the demolition of Gastineau Apartments
- ✓ Finish one of two new downtown cruise ship docks
- ✓ Opening of the State Library Archive Museum (SLAM)
- ✓ Completion of Auke Bay boat launch/parking lot
- ✓ Reconstruction of several downtown streets
- ✓ Construction of Housing First facility
- ✓ Construction of Bridge Park
- ✓ Development of the new Jackie Street off Renninger Drive
- ✓ Extend North Douglas right-of-way by two miles
- ✓ Expansion of Stabler's Rock Quarry
- ✓ Subdivision of Pederson Hill (over 80 lots)

XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES - None

XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS - None

XV. ADJOURNMENT

The meeting was adjourned at 8:52 p.m.