

Minutes  
**Planning Commission**  
***Committee of the Whole***  
CITY AND BOROUGH OF JUNEAU  
*Michael LeVine, Chairman*  
December 15, 2020

**I. ROLL CALL**

Michael LeVine, Chairman, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held virtually via Zoom Webinar and telephonically, to order at 7:03 p.m.

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

**Commissioners absent:**

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

**Assembly members:** Loren Jones, Andi Story

**II. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION** – Chairman LeVine briefly explained the procedure on the agenda and for public participation

**III. PUBLIC PARTICIPATION ON REGULAR AGENDA ITEM**

**AME2015 0010:** Text amendment for the Auke Bay area proposed re-zoning and new Land Use Code regulations

**Applicant:** City and Borough of Juneau

**Location:** Auke Bay

Allison Eddins, CDD Planner, presented AME2015 0010.

**QUESTIONS FOR STAFF**

Mr. Winchell asked for clarification of the neighborhood commercial area requirement of three units per acre. He asked if a house burns down in that area, would they be required to build to three units per acre. Director Maclean answered according to the Nonconforming Ordinance, if

a damage or loss is due to an accident then they can reconstruct to what exists today. If, however, the structure is damaged by choice, then it must be built to conform to the new zoning.

Mr. Hickok asked if the zoning goes through does it make the existing dwellings nonconforming for the purposes of selling. Ms. Maclean explained CBJ does not require nonconforming situations to obtain nonconforming certification unless they are getting a permit directly related to what is nonconforming. Lenders, however, may require the certification even if CBJ does not.

Mr. Eiler disclosed a possible conflict of interest as he is employed by the University of Alaska System and the University of Alaska Southeast could be affected by the zoning. He said he has no financial interest in the matter before the commission tonight and can be neutral and impartial. Mr. LeVine answered that because this is not a decision-making meeting, he can remain and participate.

#### PUBLIC TESTIMONY

Andy Meiners – 12110 Cross Creek Auke Bay – Mr. Meiners spoke with concerns regarding the Tanner Terrace rezone to Neighborhood Commercial zoning. While he understands that resident properties can be grandfathered in to the current zoning, those properties would be considered nonconforming and owners would have to come before the Commission for approval prior to making any betterment to their homes and he felt that reaches too far.

Mr. Dye asked if Mr. Meiners had any thoughts on the MU3 and how it would work if it was to go in the direction of MU3 zoning rather than a patchwork of zoning districts. Mr. Meiners explained he had not studied the MU3 district so could not opine on that.

Mr. Alper asked Mr. Meiners what would his preference be in the area. Mr. Meiners would like to see a neighborhood centric district.

Karla Allwine – Resides on Fritz Cove Road but owns property in the Auke Bay area – Ms. Allwine asked if a developer meets all the bonus areas of the design requirements, would there be a building allowed to be built to fifty-five feet in that area? Mr. LeVine explained that this was not the time for questions for staff. Ms. Allwine's concern was protecting the view sheds and not allow construction that would block the waterfront view from the uplands.

Mr. Voelckers explained that the waterfront is not part of the height bonus area. Rather, that would only be allowed in the upland areas and asked Ms. Allwine if she had any objections to building heights above fifty-five feet in the uplands. Ms. Allwine did not object to that.

Rick Currier – 12020 Cross Street – Mr. Currier read the letter he submitted to put it onto the record and wanted to echo Mr. Meiners' comments. In the letter, he stated the public comment has been overwhelmingly opposed to the proposed NC rezoning and he expressed concern that he felt residents' voices were not being heard.

Mr. Eiler thanked Mr. Currier for his letter and stated for the record that the Commission is very much interested in public comments.

Mr. Dye asked Mr. Currier to clarify his thoughts on MU3. Mr. Currier answered he does not think anybody is opposed to higher density development in the Auke Bay core. He does not want to see his property rezoned away from allowing a single-family home on his property. Mr. Dye asked Mr. Currier to clarify that he did not have an issue with the MU3 district and its boundaries but with the NC district and the fact that it does not allow single-family homes for new construction. Mr. Currier concurred.

Mr. Winchell asked Mr. Currier if he also wanted single-family dwellings in the upslope and Spalding Creek trailhead. Mr. Currier did not have any problem with developing or going for higher density in the upland area. However, he said he did not think people wanted to walk past coffee shops and T-shirt shops on the way to Spalding Trailhead.

Gerald Quigg – 3870 Bayview Ave, Tanner Terrace – Mr. Quigg spoke in agreement with Mr. Meiners and Mr. Currier and asked for clarification as to what MDR represents in the diagram in the staff report.

Mr. Voelckers asked what he thought about the rest of the plan if Tanner Terrace was removed from the NC. Mr. Currier answered he would like Tanner Terrace to retain its current zoning.

Mr. Dye asked if he would be supportive of the other changes represented in the plan if the boundary was drawn in such a way as to not affect the zoning in Tanner Terrace. Mr. Currier affirmed he would.

Mr. Arndt said in the comprehensive plan, Tanner Terrace is MDR (Medium Density Residential) and asked if their concern was the commercial aspect or the number of units per acre. Mr. Quigg said he thinks the PC is trying to stuff too much into their subdivision.

Ron Flint – 12070 Cross Street – Mr. Flint spoke against the plan stating it makes him angry saying the proposed changes could change the character of their neighborhood. He was concerned about the height allowances stating he had floated a helium balloon at thirty-five feet and his view was slightly restricted. He then floated the balloon at forty-five feet, which is the height that could be allowed with the bonuses, and his view was very obstructed. He further stated that he takes issue with the statements regarding growth in Auke Bay. He does not see it growing.

Mr. Dye asked for a clarification on the height stating there is currently a height restriction of thirty-five feet and the bonus allows for forty-five feet. If the forty-five feet allowance was removed, would Mr. Flint still be against the plan? Mr. Flint said he would.

Mr. Eiler asked for Mr. Flint's view on the expected growth in the Auke Bay area. Mr. Flint described some of the businesses that have left the area and to the turnover of businesses in the area and does not see it growing. He said this seems like "too big a solution" for the area.

Brent Howell – 11430 Joann Way – Mr. Howell said the problem he has is the majority of the land in the area is already developed and people are happy with the zoning as it stands. Mr. Howell said it seems like the change is for the University and the CBJ rather than for the current residents.

Mr. Dye asked what zoning he thinks is appropriate in that area. Mr. Howell said it should be zoned to something similar to the land it borders.

Joanne Schmidt – 3849 Bay View Ave. – Ms. Schmidt said she appreciates the comments from others and feels they need to have a conversation but she supports the plan. She thinks this will be good for the Auke Bay area.

Mr. Winchell asked about the Tanner Terrace issues and asked if she has a problem with that area remaining at D10 zoning. Ms. Schmidt said she has no problem with property owners having say over their property but don't stop her from doing what she wants with hers. Mr. Dye asked if there was something between NC and D10 that makes the property more advantageous for her. Ms. Schmidt did not have a preference.

Dave Klein – 12410 Glacier Highway – Mr. Klein participated in the steering committee meetings and remembers the Tanner Terrace area as being a section that would be left alone. Over time, there have been staff changes in the planning office and the maps have changed. What they are discussing tonight do not seem to reflect the conversations he remembers from the meetings.

Mr. Voelckers asked if the central part of the plan MU3 area comports with the discussions at the meetings. Mr. Klein believed it does.

Mr. Dye asked Mr. Klein if he remembers where the NC boundary was in the earlier working plan. Mr. Klein answered explaining the process of the neighborhood meetings and how the plan developed in the beginning. During the earlier meetings, there were not talking about changing an existing neighborhood.

Jeremy Woodrow – 3875 Seaview Avenue – Mr. Woodrow has submitted a letter and had comments to add. Mr. Woodrow said he supports development in their area but as it is written, this would penalize investors who have purchased commercial property. They had to spend more to purchase commercial property when they could have just bought residential property and waited for it to be rezoned as commercial. There is currently undeveloped commercial property in the area that can be developed without the need for changing residential areas to commercial.

Mr. Dye asked if Mr. Woodrow considers multi-family homes commercial or residential? Mr. Woodrow explained that he looks at it in terms of frequency of traffic in the area and it could be both.

Joshua Adams – 2245 Fritz Cove Road – Mr. Adams felt the Auke Bay plan is really good but it seems more aligned with towns like Chicago or Seaside towns expecting growth but Auke Bay is not like those places. Mr. Adams said if there were more bike paths that would encourage families to move into the area more than what is proposed in the redistrict plan.

Mr. Eiler asked if Mr. Adams takes issue with the plan outside of the transportation issues he mentioned. Mr. Adams suggested adding provisions for bike paths to the bonus points incentives. Mr. Adams added he believes the key to developing the community is not commerce but sustainability.

Mr. Voelckers asked if the mixed-use aspects of the plan fits with his perspective. Mr. Adams said he is all for the plan but he had concerns as to whether we have the commerce to support it.

Erin Howell – 11430 Joanne Way – Ms. Howell said the zoning changes devalues their property and she does not agree with the points system. She took issue with some of the bonuses that can be earned. In particular, the option to lower the parking requirement. She said that will just push the burden of parking onto other properties.

Mr. Eiler asked for clarification how the Auke Bay plan would devalue the property. Ms. Howell said the height restriction going from fifty-five feet to thirty-five feet, the parking requirements and the density changes are the biggest factors as she sees it.

Mr. Dye asked for clarification on the issue with parking saying he is surprised by the resistance to the reduction to the parking requirement. Ms. Howell explained that other properties having the ability to reduce required parking leaves the burden on existing parking lots. Her family owns the Squires Rest property and one of the larger parking parcels in Auke Bay and the parking lot is packed full with people utilizing Auke Bay or visiting the Elementary School in addition to patrons of their building.

Debi Ballam – 12090 Cross Street – Ms. Ballam lives in Tanner Terrace and spoke in opposition stating that increasing density is not a good idea because the roads are narrow and parking is limited. Increasing density would congest it more.

**IV. OTHER BUSINESS – None**

**V. REPORT OF REGULAR AND SPECIAL COMMITTEES**

- Mr. Dye reported Title 49 will be meeting on Thursday to talk about parking and Blueprint will be meeting tomorrow
- Mr. LeVine reminded the Commissioners there is no regular meeting next week. The next meeting will be after the new year.

Mr. Dye asked what is the next step or course of action on this topic? Mr. LeVine said the next steps would be to bring it back to the Committee of the Whole or to the Commission itself for final decision.

VI. **ADJOURNMENT** 9:02pm