

Agenda
Planning Commission
Special Meeting
CITY AND BOROUGH OF JUNEAU
Ben Haight, Chairman
October 15, 2019

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 7:02 p.m.

Commissioners present: Ben Haight, Chairman; Paul Voelckers, Vice Chairman; Nathaniel Dye, Shannon Crossley, Dan Hickok, Travis Arndt, Weston Eiler, Ken Alper (joined at 7:08)

Commissioners absent: Michael LeVine

Staff present: Jill Maclean, CDD Director; Alex Pierce, CDD Planning Manager; Beth McKibben, CDD Senior Planner; Tim Felstead, CDD Planner II; Jane Mores, Assistant Municipal Attorney

Assembly members: Loren Jones

II. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA

Item AME2019 0010 has been withdrawn by the applicant and removed from the Agenda

III. APPROVAL OF MINUTES

A. September 17, 2019 DRAFT Minutes – Planning Commission Regular Meeting

MOTION: *by Mr. Dye to approve the September 17, 2019, Planning Commission Regular Meeting minutes noting any staff corrections or commissioner comments.*

The motion passed with no objection.

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - none

V. ITEMS FOR RECONSIDERATION - none

VI. CONSENT AGENDA

MOTION: *by Mr. Dye to approve* items USE2019 0019 and USE2019 0020 and accept staff recommendations and findings.

The motion passed with no objection.

USE2019 0019: A Child Care Center in an existing church
Applicant: Jensen Yorba Lott Architects
Location: 8001 Glacier Highway

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 State of Alaska licensed Child Care Center in an existing church.

The approval is subject to the following conditions:

1. Prior to issuance of a building permit for the proposed structure, the applicant must submit a revised site plan showing standard parking spaces, accessible spaces, van accessible spaces, and circulation aisles that comply with the requirements of §49.40.
2. CBJ-approved signage shall be posted for the accessible parking space prior to commencement of the proposed use.
3. If a joint use agreement is used, the agreement must be approved by the Director prior to temporary certificate of occupancy.

USE2019 0020: A Conditional Use Permit to expand retail development in a severe hazard area
Applicant: Island Contractors
Location: 207 S. Franklin Street

Staff Recommendation

It is recommended that the Planning Commission adopt the Director's analysis and findings and approve the requested Conditional Use Permit. The permit would allow the addition of 800 square feet to an existing 2,500 square foot building, and allow remodel of that building into three retail units. The approval is subject to the following condition:

1. Prior to issuance of a Building Permit, the applicant must record the plat for the lot consolidation (SLC2019 0003);
2. Prior to issuance of a Building Permit, the applicant must provide parking that meets the Land Use Code requirements;

3. Prior to issuance of a Building Permit, the applicant must provide a lighting plan that meets Land Use Code requirements, with review and approval by the Historic Resources Advisory Committee;
4. Prior to issuance of a Building Permit, the applicant must receive approval of the project design by the Historic Resources Advisory Committee.

VII. UNFINISHED BUSINESS - none

VIII. REGULAR AGENDA

AME2019 0009: A zoning upgrade for twelve (12) D1(T)D3 transitional zone lots
Applicant: City & Borough of Juneau
Location: 10825 through 10965 Glacier Highway

Staff Recommendation

It is recommended that the Planning Commission adopt the Director's analysis and findings and **APPROVE** the zoning upgrade of the subject lots from D1(T)D3 to D3.

Prior to Staff presentation, Ms. Crossley declared she is related to Mr. Felstead as a first cousin. There was no objection to her hearing the presentation.

Mr. Felstead explained this issue was originally before the Commission in May and was sent back to CDD for more work and that it is in alignment with the Land Use Code.

This request applies to twelve parcels along Glacier Highway opposite Auke Lake. The parcels are part of a larger D1(T)D3 set of lots along the Mendenhall Peninsula. Of these, eleven have water and sewer and the twelfth has water and is in process of adding sewer. Eleven of the parcels have been developed. The one parcel that has not been developed is owned by CBJ and there is no plan to dispose of that parcel currently. Currently, ten of the parcels are undersized for D1 zoning, with the upgrade to D3, three of them will remain undersized.

Questions for Staff

Ms. Crossley inquired why these parcels should be rezoned to D3 rather than D5 or D10 similar to some of the areas nearby.

Mr. Felstead explained that is because it is located near a main arterial highway and there is limited sewer capacity. Mr. Felstead did highlight other areas that are part of the same D1(T)D3 zoning behind the subject parcels that might be suitable for higher density zoning if or when CBJ wished to develop or dispose of that area. Ms. MacLean added that this has already been approved as D1 to D3 transition by the Assembly so the Commission tonight does not have the

option to upgrade the parcels to D5 or D10. The task for the commission tonight is basically to verify that the public improvements that the transition was based upon have been made.

Public Comment

Laurie Craig, 10825 Glacier Highway explained that she is not opposed to this zoning upgrade but expressed concerns with runoff, drainage, and traffic in the area. She wanted the Commission to be aware and to have these issues on their mind when making decisions about the zoning in the area.

MOTION: *by Mr. Voelckers to adopt AME2019 0009 and approve it with Directors analysis and findings.*

The motion passed with no objection.

AME2018 0009:	A text amendment to revise Title 49 to repeal and replace 49.30 – Nonconforming Development – Continued from August 27, 2019
Applicant:	City & Borough of Juneau
Location:	Borough-wide

Staff Recommendation

Staff recommends that the Planning Commission review and consider the proposed ordinance and forward a recommendation to adopt this ordinance to the Assembly.

Ms. McKibben explained Staff has gone through and made changes as recommended at the last meeting and she is available for questions. The Commission reviewed the draft ordinance page by page and proposed the following changes.

43.30.120 (5): Mr. Voelckers proposed striking the words “off-street”.

49.30.230(b): After discussion, it was decided to strike “may be extended to any portion of the existing structure, but”.

49.30.240(b): Mr. Arndt was concerned that the word “conforming” at the beginning would make the section confusing or incorrect. Ms. Mores agreed and it was decided that would be removed.

49.30.240(b)(2): Mr. Arndt pointed out this is just restating the title of the section and is redundant. Staff agreed to remove item (2).

49.30.320(f)(2)(E): Mr. Arndt recalled from prior discussion that it had been agreed to delete (E) from 49.30.320(f)(2) and to add items i, ii, iii, and iv to (D) as vi, vii, viii, and ix. After discussion, staff agreed to this change.

49.30.320(g)(3) (A) and (B): Mr. Arndt proposed striking the phrase “the nonconforming situation”.

49.80.120: Mr. Arndt proposed removing the word “which” throughout the section where “but which” appears and just leave “but” in its place.

Definitions: Ms. Maclean proposed striking “permitted by this title” and adding back “regardless of intent” at the definition of *USE* at the end of the page in the last line of Section 6.

Public Comment -none

MOTION: by Mr. Dye to recommend to the Assembly AME2018 0009 noting corrections from the Planning Commission.

The motion passed with no objection

IX. BOARD OF ADJUSTMENT -none

X. OTHER BUSINESS -none

XI. STAFF REPORTS

Directors Report –

- Ms. Mores has completed the Rules of Order and it will be before the Commission on November 12th.
- The South Douglas West Juneau area plan is currently out for bid.
- Title 49 is meeting October 30th at 12:00 pm
- Blueprint is meeting next on November 7th at 6:00 pm
- Assembly Member Greg Smith is the new Assembly Liaison to the Commission.
- The Alaska Planning Conference will be February 9-11, 2020 in Anchorage.
- The Assembly has voted to protest the Marijuana license for Rainforest Farms retail and cultivation due to nonpayment of Sales Tax.

Ms. Pierce reported CDD staff are restarting the update to the Trails Plan

The next Commission meeting will be Ms. Mores’ last one.

XII. COMMITTEE REPORTS

Title 49 – Mr. Dye reported they have met and are still working on downtown zoning.

Blueprint Downtown Committee – Mr. Dye reported they met and discussed historic preservation and natural resources. Ms. Crossley will take his place at the next meeting on November 7th

Public Works – Mr. Arndt reported

- The bid for repaving at the Airport came in about \$4,000,000 over the Engineers estimate. The FAA and the consultant reviewed the bid and approved it as acceptable. The FAA will fund the additional money with CBJ match from Passenger Fees.
- CBJ will be taking a \$4,000,000 DEC Loan to replace the Douglas Highway watermain.
- The committee is discussing whether to do a LID in order to pave River Road. There will be a public meeting to decide this.

XIII. LIAISON REPORTS – none

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - none

XV. PLANNING COMMISSION COMMENTS AND QUESTIONS

Traffic issues – Mr. Haight asked about what can we do when traffic issues come up related to permit activities. Ms. Maclean offered staff will look into that and get information back to the Commission.

XVI. EXECUTIVE SESSION – none

XVII. ADJOURNMENT – The meeting adjourned at 8:54 pm