

Agenda  
**Planning Commission**  
***Regular Meeting***  
CITY AND BOROUGH OF JUNEAU  
*Ben Haight, Chairman*  
June 11, 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 7:00 p.m.

**Commissioners present:** Ben Haight, Chairman; Paul Voelckers, Vice Chairman; Michael LeVine, Nathaniel Dye, Shannon Crossley, Dan Hickok, Travis Arndt

**Commissioners absent:** Ken Alper, Andrew Campbell

**Staff present:** Jill Maclean, CDD Director; Jane Mores, Municipal Attorney; Tim Felstead, Planner II; Allison Eddins, Planner II; Amy Liu, Planner I; Laurel Christian, Planner I

**Assembly members:** Wade Bryson

**II. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA**

Mr. Haight reviewed the agenda. No changes were requested.

**III. APPROVAL OF MINUTES**

A. May 14, 2019 DRAFT Minutes – Planning Commission Regular Meeting

**MOTION:** *by Mr. Levine to approve the Planning Commission May 14, 2019, regular meeting minutes subject to any minor changes by staff or Commission members.*

Mr. Voelckers requested a correction to the Blueprint Downtown Steering Committee report as the minutes indicate that he gave this update. Instead, the liaison to this committee is Mr. Dye.

***The motion passed with no objection.***

**IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - none**

**V. ITEMS FOR RECONSIDERATION - none**

Mr. Levine did not accept the amendment. **Mr. Dye offered another friendly amendment to 7 days a week all year round based on the timeframe suggested in Mr. Levine’s amendment with the limited hours on Saturday and Sunday.**

Mr. Levine did not accept the friendly amendment.

Ms. Crossley said that she did not think it necessary to tumble the oysters at a specific time. If the applicants are unable to make it out to the site on one day of the week due to weather, she did not think it would sink their business.

Mr. Haight asked Mr. Dye for a final amendment. **Mr. Dye said the final amendment would be as follows:**

***The use of the tumbler shall only be allowed from 8 am to 8 pm on weekdays and 10 am to 5 pm on Saturdays and Sundays, not excluding holidays.***

Mr. Haight stated there was an amendment on the floor that needed a roll call.

**Role Call Vote:**

**Yays:** Arndt, Dye, Haight, Hickok, Voelckers

**Nays:** Levine, Crossley

***The amendment passed.***

Mr. Levine said that the motion that is on the floor is to approve the permit subject to the revised conditions including the revised Condition 2 which allows for tumbling from 8 to 8 five days a week and 10 to 5 on Saturday and Sunday. That is correct, said Mr. Haight.

**Role Call Vote:**

**Yays:** Arndt, Crossley, Haight, Voelckers, Levine, Hickok, Dye

**Nays:** none

***The motion passed.***

<b>CSP2019 0004:</b>	A State Project to construct two (2) roundabouts at the intersections of Mendenhall Loop Road with Stephen Richards Drive and with Floyd Dryden Middle School
<b>Applicant:</b>	State of Alaska DOT&PF
<b>Location:</b>	Mendenhall Loop Road

**Staff Recommendation**

Staff recommends that the Planning Commission find CSP2018 0001 to be consistent with adopted local plans and polices, as required by CBJ 49.15.580, and **APPROVE** CSP2019 0004 to

construct two (2) roundabouts at the intersections of Mendenhall Loop Road with Stephen Richards Drive and with Floyd Dryden Middle School, including upgrades to pedestrian infrastructure and lighting.

#### *Staff Report*

Ms. Liu presented a PowerPoint about the case and said that the project includes two roundabouts and updates to lighting and multi-use paths. She reviewed the following components from her staff report:

- Project description
- Details of the roundabouts
- Project background
- Agency Review
- Public Comment
- Conformity with adopted plans
- Habitat
- Findings and Recommendation

Mr. Haight asked for questions for staff. There were none.

#### *Applicant Presentation*

Christopher Goins is the design group chief at the Alaska Department of Transportation (DOT). He wanted to speak specifically to concerns that were brought up during the applicant review process. The project was originally conceived in 2012. The State legislature put the Alaska Transportation Project bond question on the November ballot, which included this project. The estimate then was \$6 million and was conceived from Nancy Street all the way to Back Loop Road. The voters approved the bond. In 2013, they started a series of public meetings to capture comments. Based on the comments, in 2014 they brought two revised concepts of what to do between Nancy and Back Loop.

Mr. Goins described the two concepts, described how they differed, and discussed the issues that each presented.

Concept B4 was ultimately selected after public comment, stakeholder involvement, and further consideration. It was determined that the selected concept would have the following benefits:

- The intersection at Stephen Richards would operate with lower delay and shorter queues as a roundabout.
- The Floyd Dryden would operate as a level of service “B” or better with a roundabout.
- Pedestrian crossing delay would be reduced and exposure time would also be reduced.
- The public supported the 3-lane cross section because of the buffers that would be there.

Drawbacks to the Family B concepts included:

- The roundabouts creating localized right-of-way impacts.

- Minor overall capacity reduction as compared to Family A concepts.

Mr. Goins said that given feedback that was received, in 2014 DOT began to develop the preferred alternative for the project. They took the concept to the public in 2017 for comments. They wanted to have a plan to build the entire corridor but do not have the funding at this point.

Mr. Goins explained why these intersections were picked. Stephen Richards Drive was the first priority because the am and pm peak hours have the worst performance for the majority of drivers. There are huge queues with traffic backed up during those hours and the queues effect other side streets like Cinema Drive. The roundabout will drop those queues, he said, and lead to more gaps to allow for turns out of side streets. The Floyd Dryden intersection has effected driver behavior because of the difficulty of making a left hand turn out of the school property. Parents dropping kids off at school will pull up on the side of road and not go into the school because of the turning problem. Parents will also drop the students off on El Camino because it is easier to cross the road than go on to school property. Therefore, there are more children crossing the street in the current condition than would be expected in a roundabout, which would encourage parents to drop the students off on school property.

Mr. Goins explained why roundabouts are preferred by DOT. The Department has a roundabout-first policy, meaning that he is required to consider a roundabout first because it is the safest intersection that can be built. Time-tested research date supports his statement, he said. Single lane roundabouts reduce fatalities by 90%, reduce injury crashes by 76%, and reduce pedestrian-related crashes by 30-40%. There are three reasons why roundabouts have these overwhelming safety benefits:

1. Speeds are lower. Curves leading into a roundabout slow vehicles down. Reduced speed leads to better vehicle control and lower injury rates when accidents occur.
2. There are 75% fewer vehicle-to-vehicle conflict points compared to a signalized intersection.
3. There are 67% fewer pedestrian-to-vehicle conflict points compared to a signalized intersection.

Mr. Goins displayed a graph to illustrate the above points and pointed out that it was created by AARP, a senior advocacy group that promotes roundabouts.

Another concern heard from the public was disruption of emergency services. Mr. Goins talked about design elements in the proposed plan to allow emergency vehicles to cross over medians and have quick access in a way that would not be available to other drivers. He said he does not expect emergency services would be slowed at all.

There was a FEMA review that is a CLOMR for extending Duck Creek, said Mr. Goins. Also they have applied for two permits with the Department of Fish & Game already for the culvert across El Camino and Duck Creek, and he said he does not expect any issues.

Mr. Goins said that the other large concern is Duck Creek Market and the temporary traffic control that would take place during construction. From another project in Ketchikan, DOT learned that in order to keep businesses open, they had to phase the project and ask how long each phase would take. Then they collected data from stakeholders about when it would be important for the contractors to not be working on the road. The one downside that was discovered is left hand turns onto Stephen Richards Drive. It was determined that there is no way to allow a left hand turn during the fourth phase of construction. Many hours have been spent with the owners of Duck Creek Market and with Mr. Wayne Coogan to try to figure differently, but he said, he does not have a good answer to this problem of the left-hand turn.

#### *Commissioner Comments and Questions*

Mr. Hickok asked if drivers would be able to turn right into Duck Creek Market and leave via a right-hand turn. Mr. Goins' answer indicated that drivers would be able to right turn in and out depending on the phase of construction.

Mr. Hickok asked how long the three phases are expected to take. Mr. Goins said each phase is expected to take about a month and a half each. Mr. Hickok if there would be times with no access. Mr. Goins said that there would be no left-hand turn access, only right-hand turn access for about three months.

Mr. Hickok asked if DOT had done a speed study on the roundabouts already in place in the community. Mr. Goins said that this was a question for a traffic engineer. However, he built a roundabout in Oregon and tested it out himself. He tried to drive as fast as possible and felt significantly uncomfortable at 27 miles per hour. DOT often receives comments from people saying that they feel uncomfortable as they approach a roundabout. This is the intent, said Mr. Goins, because when drivers are uncomfortable, they slow down and pay attention to what is going on around them.

Mr. Hickok wondered if there had been a study in Juneau to determine if people have actually slowed down. Mr. Goins offered some anecdotal evidence, but it seemed that there has not been such a study that he knew about.

Mr. Hickok spoke appreciatively of the roundabout in Douglas for moving traffic but said one of his concerns is pedestrian crossing. He felt that a roundabout might not be the best solution for a school entrance. He felt that drivers would be looking to navigate the roundabout and would pay less attention to kids crossing the street.

Mr. Goins said that DOT will install RRFBs (rectangular rapid flashing beacons) such as are on Riverside Drive by the school and the athletic club. The intent is to ensure that there is the safest crossing possible at a school zone. DOT intends to work with the school to educate the children and the school will continue to have a crossing guard at the location. The location of the crosswalk

is to ensure that pedestrians would only have to cross the road once, at the north end. The roundabout is designed to point the driver of a vehicle to the things that they need to pay attention to. Mr. Goins also described how a pedestrian would move across only one lane of traffic to the island in the middle and then would cross the traffic lane moving in the opposite direction. In a pedestrian crossing without an island, people need to judge cars coming from two directions.

Mr. Hickok asked if the intersection at Floyd Dryden would have only one recommended crossing. Mr. Goins said that typically another crossing is not warranted in a single-lane roundabout. Mr. Hickok said it was his opinion that kids will try to cross the shortest way possible. This is a concern, said Mr. Goins, which is led by other things that have been noticed at this intersection including parents not wanting to pull into the school because of the difficulty of exiting. DOT has been talking with the school district about providing education for kids and parents about how to drive through the roundabouts, how to use the activated signals, and where to cross.

Mr. Hickok asked if it would be possible to put an activated light at both ends. Mr. Goins did not reply directly, but offered more information about how the roundabout is likely to alter vehicle and pedestrian behaviors. Mr. Hickok said that he drove his kids to Floyd Dryden over the years and thought that the crossing guard process worked well, but he is very familiar with the roundabout at Auke Bay and would not want his kids to cross that intersection.

Mr. Voelckers asked how the \$450,000,000 bond package is distributed to the communities. Mr. Goins said that the ballot question regarding the bond package included a list of projects and the Mendenhall Loop Road project was one of them. He further explained how projects come to be funded and prioritized.

Mr. Voelckers said that recently the Commission reviewed a case regarding a major housing proposal on Cinema Drive, and the Commissioners struggled with a level of service of F at that location. He said that the Commissioners were confused about what DOT's evaluative process is about which projects rise to the top of the pile. On paper, it looked as if the Stephen Richards Drive intersection was a level of service of C and B, which makes it appear to be a less conspicuous problem that also recently had major upgrades.

Mr. Goins replied that what is not seen in the numbers is how DOT rates different intersections based on if they are signalized or not. He went into great detail about DOT's rating methods, concluding that some of what is occurring at Stephen Richards is effecting what happens at Cinema Drive for the left-hand turn. What is predicted is that the roundabout at the Stephen Richards location will affect many more drivers than a roundabout placed at Cinema Drive.

Mr. Goins discussed how they evaluate how a project will affect the system. DOT's criteria is that a development of this sort has to trigger 100 vehicles per peak hour. The proposed condominium development at Cinema Drive triggers about 40 trips increase in the peak hour. So this does not

meet the threshold to require the developer to do anything more.

Mr. Voelckers said that it seemed there was not as much dialogue as might be appropriate between DOT's planning level and projections into the future and the Planning Commission. For example, when they were considering the 72-unit condominium proposal, there was no conversational way to know if the Commissioners were doing right by the public. He said it felt to him like collectively nothing was being done to look at long-range goal setting. He commented that it would be nice to work towards a solution for a collaboration between CBJ and DOT on long-range planning and determine if the money is being spent best and in the best locations.

Mr. Goins admitted that he was an engineer, not a planner but believed that it is of concern for DOT to plan ahead and figure where development is going to happen. These projects are designed in collaboration with growth rates that are determined with CBJ. In 2035, it is expected that there will be 1,000 more trips on that road and this is already in evidence with the larger cruise ships in place and more vehicles going to the Glacier each summer.

#### *Public Testimony*

Ms. Mores said that to complete the agenda, she recommended a vote to complete the agenda past 10:30.

Mr. Levine moved to continue the meeting until 10:50 pm. There was no objection.

Becky Allison is a resident on El Camino. She said she would like to see a change on the El Camino/Floyd Dryden roundabout. She recommended red flashing lights instead of the green flashing lights, which are on Riverside Drive. The two roads are quite different. She felt the light needs to be red to catch the eye, and the bigger the better.

Wayne Coogan said that he supported the concept but the construction was an issue for him. The Planning Commission has a challenge. Coming before CBJ is the last shot for the project and then it will be built. He pointed out several things of concern. A car waiting to turn north off Stephen Richards between 7:15 and 7:45 am has to wait a long time. Then traffic waiting behind that car will pile up. After several occurrences, the drivers will stop using Stephen Richards and will divert to Riverside. Regarding pedestrians, he felt this area was more of a concern for schoolchildren than the Floyd Dryden intersection because the children living on Stephen Richards Drive walk to Glacier Valley and are less mature than the middle school students are.

Mr. Coogan stated that his personal concerns were regarding construction impacts. He represented 110 families on Stephen Richards Drive as well as the Duck Creek Market, a tenant of his. People will not be able to turn left onto Stephen Richards for four months; that is a dramatic impact.

Jack Manning is the owner of Duck Creek Market. He said that he supported roundabouts

generally but the construction traffic plan for the summer is of concern. He operates a convenience store with customers from all over Mendenhall Valley. His business picks up at 3 pm with people coming back into the Valley and are making lefts off the Loop Road. His business depends on quick and easy access. Seasonally business is slow in the winter. The project is scheduled from May to August with no guarantee that it will end in August, he said. Stephen Richards is a busy street. Currently traffic backs up to Nancy Street on the left-turning lane. In addition, there is an overlap between this project and the project at the other end of Stephen Richards. The proposal is for only a right in and a right out. In the past, a detour taking drivers through the residential neighborhood has not worked. He has worked with the State and Mr. Coogan has offered the use of his property to expand the construction project. The reason he was testifying was in hopes that the Commission could make his voice a little louder. He said he was not able to offer a solution but that closing access for the summer would be devastating.

Mr. Voelckers asked for elaboration on Mr. Coogan's offer to use his property. Mr. Manning said that Mr. Coogan is the property owner next to the intersection, and he has offered that the construction project could be expanded onto his property to allow room for some other temporary options for accessing the market.

Mr. Haight asked if there was a time of day in the summer that is more important than any other time for access to the market. Mr. Manning said that the afternoons, 3 pm to 10 pm, are the busiest. He said that after 6 pm nothing is typically happening on such a construction project. He hopes there can be flagmen or controls during those hours, and he believed this was done in Auke Bay.

Robert Noshbisch lives on Stephen Richards Drive. He is an employee at Duck Creek Market. Mr. Noshbisch said that he understands that layoffs will happen due to the drop in business during construction. He said he probably would lose his job. He said he is a senior citizen and works at the Market to pump up his savings for when he cannot work any longer. He understands that everyone needs to make sacrifices for the community good, but he thought the neighborhood and this business would experience a disproportionately negative effect. He also commented that the Mannings have a history of donating to charities, youth groups, and the arts, and that may be cut back if they cannot afford to run their business profitably.

Chuck Collins spoke representing 300 residents and tenants on Stephen Richards Drive. Mr. Collins said that while he supports better highways, he does not feel the same way about roundabouts as other people. He said that will be a hardship to his tenants and neighbors to not have access. He recommended that complete access be allowed from 7 to 9 in the morning and 4 to 6 in the evening. This could be a condition on the project and a compromise between the contractors and residents. He said that he sat and counted cars and determined there were about 1,000 trips a day into the park and his apartment complex. He does not see a reason why there could not be a flagger as an option farther down the road sending people away and reducing congestion. He also said he wants a designated and responsive person to speak to when there



are issues. In 2005, he recalled, Seward Street was rebuilt. He owned a business there and for 2 months, shoppers could not get into his store. It cost him about \$250,000. It did not put him out of business, but the furniture store across went out of business due to the loss.

Tom Manning is an owner of Duck Creek Market. Mr. Manning said that there are some issues with pedestrian crossings that are not being thought through. There has always been a left-hand turn onto Stephen Richards without the light. The light was put in place to deal with pedestrian traffic, he said, not to make traffic get to the Glacier faster. Without the light, the left-turn onto Stephen Richards worked fine. He questioned why there could not be a left-hand turn during construction with a flagman. He did not think this would cause traffic to back up to Egan Drive since it did not do so before when there was no light. It is crucial in the afternoons for his business, he said. He said he thought it would not be difficult to find a way to avoid impacting so many people and his business.

Mr. Levine made a motion to extend the meeting to 11:05. There were no objections.

*Commissioner Comments and Questions to Applicant*

Mr. Arndt said that Mr. Manning alluded to possible overlap with the projects happening at Stephen Richards and Riverside Drive, and he wondered if there would be overlap. Mr. Goins said that COT is installing a light at the intersection of Stephen Richards and Riverside Drive. However, contractors have indicated that the light can be operational before the project on Mendenhall Loop Road begins to alleviate the congestion problem that exists on Riverside. This can encourage drivers to travel down Riverside and also to access Duck Creek Market from that direction. He wanted to make it clear that the roundabout project would not cut off access to the Market. The issue is that they cannot physically allow a left-hand turn movement during certain phases of the project. He said that in response to Mr. Manning's recollection, the reason there were no back-ups to Egan during the previous project was because left-hand turns were eliminated and this was a big complaint.

Mr. Goins discussed the topic of liquidated damages. He said he met with the Mannings to determine what their damages were when the intersection was shut down previously. This information was necessary to increase the liquidated damages and justify it in court. This has resulted in the fine of \$1000 a day if the contractor goes beyond August 15. He stated that if a creative and workable solution were to be found, DOT would try to do it.

Mr. Voelckers asked if DOT has ever reimbursed a business when a construction project caused financial hardship. Mr. Goins said that legally DOT is not able to do so, and he had never seen this done for other projects.

Ms. Maclean said that Mr. Manning made reference to flaggers put in place during construction of the Auke Bay roundabout, and she wondered if the applicant could give some background as to why that worked in Auke Bay but why it cannot work on this project. Mr. Goins said that he

was not involved with the Auke Bay project but was told that it did not work very well. However, he pointed out that the Mendenhall Loop Road project is a very different scenario.

Ms. Crossley said that down south, work on major highways takes place between 11 pm to 5 am. She wondered if there was a reason why DOT cannot work outside business hours. Mr. Goins said that it is due to the physical constraints and the geometry. It is not about the hours when construction is in operation. He anticipates coming back to the city for a night work permit for certain activities. Many construction activities do not go well in the night in a residential neighborhood, but some activities like paving and striping can be done at night.

Mr. Hickok asked if there would be any flag people in place during the process. Mr. Goins said no, not for the Stephen Richards intersection because through traffic will be allowed go through. For the intersection at Floyd Dryden, there will be times when flagger control will be necessary. Mr. Hickok asked what would happen for kids crossing when school is in session. Mr. Goins said there would be times when crossing will not be available in the traditional sense. During those times, they will physically shuttle people with taxicabs from one location to another. However, DOT will not be doing extensive construction until after school is let out for the summer.

Mr. Hickok asked for clarification regarding how traffic will respond when the crosswalk button is pushed frequently as numbers of children are on their way to school. Mr. Goins first noted that he would not be allowed to change the color of the flashing light from yellow to red as suggested by a previous speaker due to the Uniform Traffic Control regulations. This means that the light would not be a red “hard stop”; it would be a “yield” caution light indicating that once the pedestrian exits the crosswalk, traffic can continue through.

#### *Commission Discussion*

Mr. Levine said that he had concerns about the economic impacts to Duck Creek Market during construction. He is persuaded by the arguments that a left turn cannot be allowed at times, and the Commissioners are not in a place to engineer a solution.

**MOTION:** *by, Mr. Levine to accept staff’s findings, analysis and recommendations, and approve CSP2019 0004 with an added condition:*

***Applicant shall make all reasonable efforts during construction to alleviate the economic impact on businesses affected by construction activities.***

#### *Discussion*

Ms. Crossley asked if Mr. Levine would amend the motion to state “businesses and residents affected”. Mr. Levine said that he would accept this as a friendly amendment.

Mr. Voelckers spoke in favor of the motion. The Commissioners felt empathy for people impacted so severely in the middle of their critical season and for DOT being in a tough spot with geometry,

but he felt there might be some things such as pushing the hours of operation. He wanted to go on record to state he felt it worth every effort made to find a way to lessen the negative impacts.

Mr. Hickok spoke against the motion. His business is next to the Auke Bay roundabout, he said, and it was a very difficult time when that was put in place. He said he remains unconvinced that the design of this roundabout is the safest way for the children to cross the street.

**Roll Call Vote:**

Mr. Arndt asked for the added condition to be read again.

***Applicant shall make all reasonable efforts during construction to alleviate the economic impact on businesses and residents affected by construction activities.***

**Yays:** Arndt, Crossley, Haight, Voelckers, Levine, Hickok, Dye

**Nays:** Hickok

***The motion passed.***

**IX. BOARD OF ADJUSTMENT - none**

**X. OTHER BUSINESS - none**

**XI. STAFF REPORTS**

Ms. Maclean gave an update on the downtown rezoning project. CDD will not make the deadline of August 1 for completion of that project. A request for an extension of one year has been made. The Assembly's Committee of Whole discussed this request at the June 10 meeting. The first reading by the Assembly is on June 24. The Planning Commission will have a public hearing on June 25, and then it will be back to the Assembly for a public hearing.

**XII. COMMITTEE REPORTS**

Mr. Haight said there is an Auke Bay Implementation Committee meeting on June 27 at noon.

**XIII. LIAISON REPORTS – Mr. Bryson passed.**

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

**XV. PLANNING COMMISSION COMMENTS AND QUESTIONS - none**

**XVI. EXECUTIVE SESSION - none**

**XVII. ADJOURNMENT**

The meeting adjourned at 11:04 pm.