

Minutes
Planning Commission
Regular Meeting
CITY AND BOROUGH OF JUNEAU
Michael LeVine, Chairman
August 25, 2020

I. ROLL CALL

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

Commissioners absent: Ken Alper;

Staff present: Jill Maclean, CDD Director; Laurel Christian, CDD; Irene Gallion, CDD; Emily Wright, LAW

Assembly members: Greg Smith

II. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA -Mr. Levine noted the supplemental materials are from the previous meeting and there are no new materials

III. APPROVAL OF MINUTES

A. July 28, 2020 Draft Minutes – Planning Commission Committee of the Whole Meeting

MOTION: *by Mr. Voelckers to approve the Planning Commission July 28, 2020, Planning Commission Committee of the Whole Meeting minutes.*

IV. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION Mr. Levine explained there would be an opportunity for public comment and public members could use the raise hand function

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

VI. **ITEMS FOR RECONSIDERATION**- none

VII. **CONSENT AGENDA**

Mr. Pedersen declared he had a conflict as he had past involvement and could potentially be a signatory on the final plat and was recused.

SMF2020 0002: Final plat approval for a phased major subdivision creating 14 lots and 1 large tract for further subdivision (15 lots total)
Applicant: Bicknell, INC.
Location: Yandukin Drive

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested final plat. The notice of decision would allow the final plat approval for a phased major subdivision creating 14 lots and 1 large tract (15 lots total).

MOTION: *by Mr. Winchell to accept staff's findings, analysis and recommendations and approve SMF2020 0002.*

The motion passed with no objection.

VIII. **UNFINISHED BUSINESS**

Mr. LeVine explained that at the last meeting they had completed the public and applicant participation portions of the process leaving questions for staff and commissioner discussion to be done before going to a vote.

Ms. Maclean spoke to apologize to the Commission and to the applicant stating that in hindsight after reviewing the staff report and application, with no new information, she took back her statement made at the last meeting regarding the recommendation and said she stands by her original recommendation to reduce from 13 to 4 parking spaces.

Mr. LeVine explained the two items would be considered together as had been done at the previous meeting.

Mr. Dye asked for clarification as to whether participants are required or suggested to commit to the six-month minimum stay. Ms. Maclean confirmed that residents could not be required to stay for six months but they are encouraged to do so. Ms. Gallion added that individuals who are not willing to commit to at least six months will not be invited to participate in the program.

Mr. Voelckers said the staff report stated residents would not be allowed vehicles but the applicant had said they would be allowed. He asked for clarification. Ms. Gallion explained while a resident might own a vehicle, it would not be allowed on site. She reminded commissioners these residents are reentrants and it is not likely they will be able to afford to own a vehicle right out of incarceration.

Mr. Arndt asked even though the applicant says residents will not have a car there, how can CBJ apply that statement within the Code? Would an applicant for other multifamily projects also be able to obtain a parking waiver like this? Ms. Maclean explained if the project is outside of PD1 PD2 or Fee-in-lieu district area then they can apply for parking waivers. Mr. Arndt asked if the CBJ has a way of enforcing the waivers. Ms. Maclean answered that the effect of the waiver is to reduce the number of spaces required. There is no recourse if it turns out that more spaces were necessary. There would only be recourse if the applicant provided less than the number of spaces in the waiver. If the waiver reduces the requirement to four spaces and the final project has less than four, THEN there would be a violation.

Mr. Hickok asked if they could condition no tenant-owned vehicles allowed on premises except for that belonging to staff. Ms. Wright explained the commission could do so but would have to state the why. Mr. LeVine asked Ms. Maclean how a condition like this would be enforced. Ms. Maclean said the enforcement issue would be how to determine who owns which vehicles parked on site.

Mr. Winchell asked if the Commission has the authority to limit the tenants from parking on-site. Ms. Wright said you can condition a parking waiver but must tie it to Title 49.

Mr. Pedersen expressed concerns regarding these being modular home units and suggested modifying the finding in some way to state these are not mobile homes.

USE2020 0018: A Conditional Use Permit for Transitional Housing
Applicant: Northwind Architects LLC
Location: 1921 Allen Court

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE WITH CONDITIONS** the requested Conditional Use Permit. The permit would allow the development of transitional housing at 1921 Allen Court.

The approval is subject to the following conditions:

1. Prior to issuance of a temporary certificate of occupancy, wheel stops or striping shall be placed in the parking lot to define the location of parking spaces, and all necessary ADA striping and signage will be installed.
2. Prior to the issuance of a temporary certificate of occupancy, all pavement markings, including directional arrows, parking space stripes, and other markings shown on the project site plan, shall be applied to the parking and circulation area shown on the site plan in a medium designed for such purposes.
3. Prior to issuance of a building permit, the applicant must submit documentation to demonstrate that all applicable parking code requirements have been met, in conformity with CBJ 49.40.200.
4. Prior to the issuance of a temporary certificate of occupancy, one or more covered bicycle racks providing spaces for at least ~~four (4)~~ **eight (8)** bicycles shall be provided. The rack(s) shall be permanently affixed to the ground, building, or other permanent fixture, and shall be located so that parked bicycles do not encroach into a pedestrian walkway or vehicle area. Covered bicycle racks shall, at a minimum, be designed in accordance with the standards listed in the Juneau Non-Motorized Transportation Plan.
5. Prior to issuance of a building permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed and located to minimize offsite glare. Approval of the plan shall be at the discretion of the Community Development Department, according to the requirements of CBJ 49.40.230(d).
6. **Prior to issuance of a temporary certificate of occupancy , fencing will be installed around the property to limit access to a single point of entry/exit from the property.**

MOTION: *by Mr. Pederson to accept staff's findings, analysis and recommendations and approve **USE2020 0018** with an amendment to change staff finding Number 2 by adding "The proposed modular housing units are not considered mobile homes."*

Mr. Eiler asked for staff what the Code definition is for mobile homes. Ms. Maclean paraphrased the land use code saying it is antiquated and basically means a detached residential dwelling unit designed for transportation after fabrication on streets/highways on its own wheels or on a trucker trailer, so on and so forth.

MOTION: *by Mr. Dye to amend Condition 4 increasing required bicycle parking spots from four (4) to eight (8).*

The motion to amend passed with no objection.

MOTION: *by Mr. Dye to amend the add a condition 6 stating “Prior to issuance of a temporary certificate of occupancy , fencing will be installed around the property to limit access to a single point of entry/exit from the property”.*

The motion to amend passed with no objection.

Mr. LeVine spoke in favor of the motion stating he is glad to see CARES money being put to good use.

The amended motion passed with no objection

PWP2020 0003: A Parking Waiver to reduce the number of required spaces from 13 to 4
Applicant: Northwind Architects LLC
Location: 1921 Allen Court

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested parking waiver. The permit would reduce parking requirements from 13 off-street parking spaces to ~~four~~ **six** for transitional housing.

MOTION: *by Mr. Voelckers to accept staff’s findings, analysis and recommendations and approve **PWP2020 0003** with an amendment to change it from a reduction to four (4) to six (6) parking spaces.*

Mr. Voelckers spoke to his motion explaining when they looked at the site plan there was space for more than the requested four spaces without detriment to the site. He added this would be more in line with the comparison of similar projects in other communities included in the staff report.

Mr. Hickok spoke in favor of the motion adding that he does not want to stop someone from owning a vehicle.

Mr. Arndt spoke against the motion saying that he thinks the residents should be encouraged to work toward earning and owning a vehicle. He felt it could be left up to the applicant to restrict who can park in the spaces but it should not be up to the commission to do so. He is not in favor of the waiver.

Mr. Winchell spoke in favor of the motion increasing the spaces from four to six stating the extra spaces could be used by auxiliary staff including probation officers, other officials, officers, and additional staff.

Mr. Dye spoke in favor of the motion saying he was reluctant except for the increase from four to six spaces.

Mr. Pedersen spoke to support the motion citing the increase to six spaces as a good compromise.

Mr. LeVine noted an error on the staff report. The statement “residents will not be allowed to own a vehicle” is in error and the commission will not be relying on that statement. He also supported the increase to six required spaces.

Roll Call Vote:

YES: Mr. Voelckers; Mr. Dye; Mr. Winchell; Mr. Pedersen; Mr. Eiler; Mr. Hickok; Mr. LeVine

NO: Mr. Arndt

The motion passed 7 to 1

Recess 8:03 pm to 8:08 pm

IX. REGULAR AGENDA – none

X. BOARD OF ADJUSTMENT – none

XI. OTHER BUSINESS – none

XII. STAFF REPORTS

Ms. Maclean reported

- The planned joint meeting between the Planning Commission and the Assembly was planned for August 31. However, that has been cancelled and will be rescheduled for January or later.
- Title 49 needs to be scheduled. Thursdays at Noon may be an option.
- There is a need to reschedule a Governance meeting.
- The Assembly approved the flood plain maps and they go into effect on September 18th.

Mr. LeVine commented on the update on the Staff Report format saying that it looks like they’ve done a nice job.

Mr. Voelckers asked about the proposal to change the deadline for accepting public comments. Ms. Maclean explained the Pre-Covid deadline was Noon on the Friday prior to the Planning Commission meeting. Since COVID, they have been accepting public

comments up to and through the public hearing on the night of the meetings. The Department would propose a deadline of Noon on the Monday prior to the Tuesday

Ms. Wright gave an update on Lee vs Vertical Bridge. Oral arguments before the assembly is scheduled for September 2 via Zoom.

XIII. COMMITTEE REPORTS

Mr. Dye reported Blue Print met last week and will meet again next week.

Mr. Hickok reported Lands Committee met in the last week and one of the items discussed was the Transitional Housing project that was heard at tonight's meeting. Ms. Maclean added the Committee discussed Upstairs/Downtown, Parking, and introduced the Tax Abatement Ordinance.

XIV. LIAISON REPORTS

Mr. Smith reported Assembly activities and issues lately include:

- Systemic Racism Review Committee passed last night
- Bond proposals
- Business Sustainability grants round 2 and 3

Issues that have been brought to him that may be of interest to the Commission are

- A local business owner has mentioned the parking requirement has posed problems for them to develop and Mr. Smith is glad to see the Commission is working on that
- Historic building improvements

XV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS – none

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

Mr. LeVine reminded members the Committee of the Whole meeting will follow this meeting.

Mr. Voelckers asked about upcoming meetings for Auke Bay. Ms. Maclean said it is a possibility for September 22.

XVII. EXECUTIVE SESSION – none

XVIII. ADJOURNMENT 8:30 pm