

Minutes
Planning Commission
Regular Meeting
CITY AND BOROUGH OF JUNEAU
Michael LeVine, Chairman
April 27, 2021

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; Dan Hickok; Mandy Cole; Josh Winchell; Erik Pedersen

Commissioners absent: Travis Arndt, Deputy Clerk; Ken Alper;

Staff present: Jill Maclean, CDD Director; Irene Gallion, CDD Planner; Sherri Layne Law;

Assembly members: Loren Jones

II. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA – None

III. APPROVAL OF MINUTES

A. Draft Minutes March 23, 2021 Planning Commission Regular Meeting

MOTION: *by Mr. Voelckers to approve the Planning Commission Regular Meeting March 23, 2021 minutes.*

IV. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION – Chairman LeVine briefly explained the rules for public participating via Zoom format

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS – None

VI. **ITEMS FOR RECONSIDERATION** – None

VII. **CONSENT AGENDA**

USE2021 0003: Conditional Use Permit for commercial use in an Industrial Zone
Applicant: Hugo & Tenaya Miramontes
Location: 1880 Crest St.

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow the development of miscellaneous retail in the industrial zoning district.

MOTION: *by Mr. Winchell to accept staff's findings, analysis and recommendations and approve **USE2021 0003**.*

The motion passed with no objection.

VIII. **UNFINISHED BUSINESS** - None

IX. **REGULAR AGENDA**

WCF2021 0001: A new 100-foot Wireless Communications Facility Monopole
Applicant: Mastec Network Solutions
Location: 3500 N. Douglas Highway

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested Wireless Communication Facility Special Use Permit. The permit would allow a new 100-foot wireless communication facility (WCF) monopole at 3500 N Douglas Highway in a Waterfront Industrial zoning district.

The approval is subject to the following conditions:

~~**Condition #1:** Design & Performance, custom condition: Fencing must be installed such that when vehicle gates are opened they remain within the lot lines.~~

STAFF PRESENTATION

Presentation given by Ms. Gallion, CDD Planner.

QUESTIONS FOR STAFF

Mr. Winchell questioned the safety of placing the tower nearby the roundabout. Ms. Gallion said the tower is engineered so that if it were to fail and fall over, it would not reach the road. Mr. Winchell asked about the risk of the tower being a sight distraction for drivers in the roundabout. Ms. Gallion had no knowledge on that issue.

Mr. Winchell asked why the tower will be located so far from the dock area if its purpose is to alleviate the demand caused by cruise ship passengers. Ms. Gallion explained the tower would shift the load away from downtown and would also provide increased service to Douglas Island users.

Mr. Dye asked about the intent of a break point in the tower. Ms. Gallion explained the primary purpose of the breakpoint is to reduce the forces on the foundation in case of a failure in the tower. Mr. Dye expressed concern that in the case of a high wind event causing a failure, the 'branches' could blow outside of the property into other properties.

Mr. Voelckers asked for explanation of the condition regarding the gates. Ms. Gallion explained this was a condition from the State Department of Transportation.

Mr. Pedersen asked how the requirement for the pole to be concealed came about. Ms. Gallion explained it was suggested by CDD Staff during the pre-application conference that they build a concealed monopine pole. The applicant followed CDD advice and has incurred expenditures in preparation for a monopine.

Mr. Voelckers asked whether this tower will need to have FAA lighting. Ms. Gallion said it will not be required.

APPLICANT PRESENTATION

Alissa Haynes, spoke on behalf of Mastec Network Solutions and ATT. She explained the tower is necessary to reduce the load when tourists are in town and to reduce service outages due to that load. She mentioned the concern on the gate and had options to comply with that condition.

QUESTIONS FOR APPLICANT

Mr. Voelckers asked how antennae are added with the pine branches in place. Ms. Haynes explained the affected branches are removed, the antennae are installed and then camouflage is added back to the tower.

Mr. LeVine said he had read the application and did not see a reference to cruise ships or overages due to the increased demand from cruise ship passengers and asked why that was not mentioned in the application. Ms. Haynes said she recalls it being in the application and would look for it.

PUBLIC COMMENT – None

CONTINUED APPLICANT COMMENTS

Ms. Haynes reiterated the need for the tower to relieve demand.

ADDITIONAL QUESTIONS FOR APPLICANT

Mr. Voelckers asked how the applicant would feel if the requirement to conceal the pole were removed. Ms. Haynes explained it would be very costly for them to change it now. They would have to redesign the foundation and engineer a new tower to change to a monopole.

QUESTIONS FOR STAFF

Mr. Hickok asked if AELP is required to come before PC when installing their poles. Ms. Maclean said she was not aware of the process they go through but she assumed they placed their poles within rights of way.

COMMISSIONER DISCUSSION

Mr. Voelckers commented that he thought a monopole would be less visually intrusive than a monopine and he was surprised by the applicant's statement that it would be too costly to change to a simpler design.

Mr. Dye asked about the breakpoint and the possibility of branches being blown away in high wind events. Mr. Voelckers said he thought the intent of the breakpoint engineering was to keep falling debris within property lines.

Ms. Cole expressed dismay at the idea of a 'giant fake tree' beside the road saying residents will not be mistake it for a real tree.

Mr. Pedersen agreed with Ms. Cole and Mr. Voelckers' comments regarding the aesthetics of a monopine beside the bridge but he was also sympathetic to the applicant and wondered if there was a way to approve the permit in a way that allows the applicant to choose which type of pole to install.

Mr. Hickok said he finds the monopine design much more appealing than monopoles. He added that no matter what is decided, they will never please everybody.

MOTION: *by Mr. Dye to accept staff's findings, analysis and recommendations and approve WCF2021 0001 with a change from monopine to monopole citing visual impacts and the unassurety (sic) of branches flying off into surrounding property and striking the condition for the fence gate because it is duplicative in code from the State and the City.*

Mr. Winchell commented that he agreed with Mr. Pedersen's suggestion to leave the option to the applicant.

Mr. Voelckers and Mr. Pedersen spoke in support of the motion. Mr. Winchell said he was swayed by Mr. Voelckers' comments to support the motion.

Mr. LeVine said he will be voting no because he does not see justification for this pole to be in a waterfront industrial area and as it is presented, he does not think it is appropriate for the zoning.

Ms. Maclean said 49.65.1020 supports putting the tower in this location.

ROLL CALL VOTE

YES: Dye, Winchell, Hickok, Pedersen, Cole; Voelckers

NO: LeVine

The motion passed 6 to 1.

X. BOARD OF ADJUSTMENT – None

XI. OTHER BUSINESS – None

XII. STAFF REPORTS

Ms. Maclean reported

- The Assembly has adopted the flood plain ordinance
- Staff will strive to have an ordinance to the PC by end of May to update the Accessory Apartment code section
- The parking ordinance will be heard at the May 25th regular PC meeting with the purpose of collecting public input
- She will be out of town for two weeks starting Friday. Ms. Pierce will be acting Director during that time.

Mr. Voelckers asked about the status on Auke Bay. Ms. Maclean hopes to bring it back before the commission soon.

XIII. COMMITTEE REPORTS

Mr. Dye reported the next Blueprint Meeting is May 5.

XIV. LIAISON REPORTS

Assembly member Jones reported on current activities of the Assembly and announced the May 24th Assembly meeting will be in person in the Chambers with public participation via Zoom.

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

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

MOTION: *by Mr. Voelckers to amend the motion to continue hearing **VAR2021 0001** issue from prior message to be heard May 11 instead of May 25.*

Mr. Voelckers spoke to the motion saying it would be better for the applicant for it to be heard sooner so they can move forward.

The motion passed with no objection.

XVII. **EXECUTIVE SESSION** – None

XVIII. **ADJOURNMENT** – 8:28 p.m.