

DRAFT MINUTES

Agenda

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Michael LeVine, Chairman

November 8, 2022

I. LAND ACKNOWLEDGEMENT – Read by Commissioner Arndt

We would like to acknowledge that the City and Borough of Juneau is on Tlingit land, and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

II. ROLL CALL

Paul Voelckers, Vice Chairman, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in Assembly Chambers of the Municipal Building, virtually via Zoom Webinar, and telephonically, to order at 7:03 p.m.

Commissioners present: Commissioners present in Chambers –Paul Voelckers, Vice Chair; Travis Arndt, Clerk; Dan Hickok, Deputy Clerk; Matthew Bell; Joshua Winchell; Mandy Cole

Commissioners present via video conferencing – Michael LeVine, Chairman;

Commissioners absent: Erik Pedersen

Staff present: Jill Maclean, CDD Director; Irene Gallion, Senior Planner; Jennifer Sheilds, Planner II; David Peterson, Planner II (via Zoom); Lily Hagerup, CDD Administrative Assistant; Sherri Layne, Law Assistant Municipal Attorney (via Zoom)

Assembly members: Waahlaal Giidaak/Barbara Blake, Assembly Liaison; Wade Bryson

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

IV. APPROVAL OF MINUTES

A. October 11, 2022 Draft Minutes, Regular Planning Commission

MOTION: *by Mr. Hickok to approve the October 11, 2022 Planning Commission Regular Meeting minutes.*

V. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION – Vice Chair Voelckers explained the process for participating via Zoom and in person.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS – None

VII. ITEMS FOR RECONSIDERATION – None

VIII. CONSENT AGENDA

CSP2022 0004: Teal Street road improvements, including repaving of two 12-foot lanes, addition of curb gutter, sidewalks, street lighting, and street signage, replacement of water and sewer mains and services, improvement to drainage, and addition of a Capital Transit bus pull-out.

Applicant: City & Borough of Juneau

Location: Teal Street (from Crest Street to Jordan Avenue)

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and forward a recommendation of approval to the Assembly for the Teal Street Road Improvements.

Director's Report

The applicant (CBJ Engineering and Public Works) is requesting to make improvements to Teal Street including reconstruction and repaving of two 12-foot lanes, sloped to the North to divert drainage to street side drainage structures. Curb, gutter, and sidewalk on both North and South sides of the street.

ADA compliant ramps and landing for the sidewalk. Addition of six (6) street lights to illuminate the intersections where Jordan Ave and Alpine Ave intersect Teal Street. Replacement of water and sewer mains, and services. Improve drainage quality through bio-retention ditches behind sidewalks. Capital Transit bus pull out. "No Parking Anytime" signs installed on both North and South sides of the street.

Addition of the Teal Street center, the Glory Hall, and other potential development on the horizon, Staff recommends the Planning Commission adopt the Director's analysis and findings, and recommend **APPROVAL** of the ROW improvements.

MOTION: *by Mr. Winchell to accept staff's findings, analysis, and recommendations, and approve CSP2022 0004.*

The motion passed with no objection.

IX. UNFINISHED BUSINESS

Prior to hearing **ARP2022 0001**, Commissioner Arndt confirmed that, although he was not in attendance at the October 11 meeting, he has reviewed the information regarding this case and is prepared to participate this evening.

ARP2022 0001: Preliminary plan approval for an Alternative Residential Subdivision, developing up to 444 dwelling units on 19.71 acres – CONTINUED FROM THE OCTOBER 11, 2022 PLANNING COMMISSION MEETING
Applicant: Rooftop Properties, LLC
Location: 7400 Glacier Highway

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE WITH CONDITIONS** the Preliminary Plan for the Ridgeview Subdivision, an Alternative Residential Subdivision creating 90 unit-lots and three (3) parent lots. This permit would allow the applicant to submit for the Final Plan.

This approval is subject to the following conditions:

- ~~1. Reevaluate figures provided in "Greenspace by Phase." (Removed by amendment)~~
- ~~2. Revise site plan to show pedestrian paths or multi-use paths in Phase 3. (Removed by amendment)~~
- ~~3~~ 1. When the connection to Vista del Sol Drive is constructed, change the name of Seymour Way to Vista Del Sol Drive.
- ~~4~~ 2. For each Final Plan, provide updated off-street parking plans that show required ADA spaces, or denote if they are included in garage parking.
- ~~5~~ 3. For the Final ARS Plan for the first phase, a Traffic Impact Analysis for the entire development must be approved by CBJ. ADOT&PF will be consulted regarding impacts from the development.
- ~~6~~ 4. Plan and install a continuous vegetated barrier along the entire property line to the development's property line at Glacier Highway. The vegetated barrier will be depicted on the preliminary and final plats of each Phase located in this area with an associated plat note. **The vegetative barrier for each phase shall be constructed during that phase.** (Added by amendment)
- ~~7~~ 5. Prior to approval of the Final Alternative Residential Subdivision Plan for each phase, the applicant shall submit homeowners' association, or similar, documents that comply with the requirements of CBJ 49.15.950(b).

~~8. Per CBJ 49.15.920(e), prior to approval of the Final Alternative Residential Subdivision Plan, the CDD Director will approve the final mailbox location. (Removed by amendment)~~

6. The vegetated buffer along the Western side of the subject property shall be 15 feet in width and can be reduced to 5 feet with the installation of a fence sufficient to provide a visual and acoustic barrier. (Added by amendment)

Director's Report

The applicant requests Preliminary Plan approval for an Alternative Residential Subdivision developing up to 444 dwelling units on 19.71 acres zoned D18 at 7400 Glacier Highway. The proposed 444 units will be provided through a combination of apartments and townhouses, and is proposed to be constructed in six phases. The proposal requests a 25% density bonus based on provision of open space, public Right-of-Way access, and shared use pathways. Common areas will be managed through a required homeowners' association. Staff recommends approval of the preliminary plan, with a condition that a Traffic Impact Analysis for the whole lot be completed before Final Plan approval on the first phase.

Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE WITH CONDITIONS** the Preliminary Plan for the Ridgeview Subdivision, an Alternative Residential Subdivision creating 90 unit-lots and three (3) parent lots. This permit would allow the applicant to submit for the Final Plan.

APPLICANT PRESENTATION- Garrett Johnson recapped the presentation from the October 11 meeting and explained the modifications they have made based on the recommendations and discussion from that meeting. Generally, the project has been split into three parent lots of one or two phases each. Each phase meets the minimum ARS requirements.

QUESTIONS FOR APPLICANT

Ms. Cole asked about the connection of the development with the street. Mr. Johnson explained the connection will be via Vista Del Sol Street. He was open to discussing other means of egress.

Mr. Arndt asked whether the subdivision HOA documents would be for the overall subdivision or would there be separate agreements for each of the three parent lots. Ms. Maclean explained if the development creates a new city street, then each parent lot could maintain its own. If existing infrastructure is utilized, the HOA would cover the entire subdivision and would include the maintenance of the existing infrastructure.

PUBLIC COMMENT

Colter Boehm, owner of Bobcat of Juneau, spoke to support the proposed plan. As a small business owner, housing has been a problem with retaining employees.

Marciano Duran – via Zoom – Mr. Duran is the developer of the Vista Del Sol subdivision located next to this plan. He said he would prefer the road not connect to Vista Del Sol. He felt it should end in a cul-de-sac and that there should be more of a buffer between the subdivisions.

Mr. Winchell asked if increasing the 5-foot setback to a 15-foot setback with acoustic and visual barriers would be acceptable. Mr. Duran said there is a creek between the properties and he did not think 15 feet would be enough.

Ms. Maclean asked if he had considered buffers when he was designing his development. Mr. Duran said he had.

Mr. Hickok asked if there had been discussion of possibly connecting to Vista Del Sol to the property in question at the time of his development. Mr. Duran said there had not been as it was a vacant lot at the time.

Mr. Arndt asked whether a visual or acoustic buffer would be preferred. Mr. Duran said fencing and vegetation would both be helpful.

Tim Storbeck - Vista Del Sol resident – via Zoom – spoke expressing he has concerns with the road connecting to the Vista Del Sol neighborhood. He prefers there not be a direct connection due to safety concerns.

Ms. Cole asked Mr. Storbeck if he was aware that the applicant does not own the adjoining property and a road could not be built there. Mr. Storbeck was aware but said there are other options for accessing the proposed subdivision.

Mr. Winchell asked if a revision stating the road cannot connect to Vista Del Sol and increasing the setback to 15 feet would be satisfactory. Mr. Storbeck said it would.

ADDITIONAL APPLICANT COMMENTS

Mr. Johnson expressed an understanding of the housing needs of the community and the concerns of the neighbors. He noted that they are willing and able to provide a vegetative barrier. They also looked into fencing but the topography will not support it. He believes the concerns raised have been mitigated.

COMMISSIONER DISCUSSION

Mr. LeVine asked whether Mr. Johnson has a problem with any of the conditions and does he understand they must be met prior to approval of the final plan. Mr. Johnson was comfortable with the conditions.

Ms. Maclean suggested they consider making Condition #6 a part of phase one.

Mr. Hickok asked if there has been conversation with Alaska Mental Health Trust Authority (AMHTA) regarding obtaining some of the property for inputting a road. Mr. Johnson has met with AMHTA to

discuss sharing a road when they developed but there has been no commitment as to when AMHTA will move forward.

Mr. Arndt asked what a vegetative border would look like in order to provide visual as well as acoustic buffer. Mr. Johnson has not planned that yet and said it would depend on soil quality and what it would support.

Mr. Voelckers asked for a description of the waterway and soil conditions between his property and the Vista Del Sol property regarding fencing and other buffer options. Mr. Johnson explained it is muskeg and fencing is not a feasible option.

MOTION: *by Mr. Winchell to accept staff's findings, analysis, and recommendations, and approve ARP2022 0001 with the following conditions:*

- *Strike #3 and replace it with "A road through the subject property shall not connect to Vista Del Sol Drive but shall terminate in a cul-de-sac."*
- *#6 Prior to completion of the first phase,*
- *#9 The 5-foot buffer on the eastern side of the subject property shall be increased to a 15-foot buffer and shall include vegetation and/or fencing sufficient to provide a visual and acoustic barrier.*

MOTION TO AMEND: *by Ms. Cole to Strike Conditions 1 and 2, reinstate Condition #3, strike the changes to #6 and add the verbiage "The vegetative barrier will be installed in phase 1" to #6.*

Mr. Winchell withdrew his motion.

MOTION: *by Mr. Winchell to accept staff's findings, analysis, and recommendations, and approve ARP2022 0001 with the following conditions:*

- *Strike #1 and #2*
- *Strike #3 and replace it with "The road through the subject property shall not connect to Vista Del Sol Drive but shall terminate in a cul-de-sac."*
- *Amend #6 to add "Vegetative barrier installed in phase one."*
- *Add a new Condition #9 "The 5-foot barrier on the eastern side will be increased to a 15-foot barrier and shall include vegetation and/or fencing sufficient to provide a visual and acoustic barrier."*

Mr. Winchell spoke to his motion citing safety concerns with the amount of traffic that 440 units will bring.

Ms. Maclean suggested the commission review 49.35.210(a)(1) & (2) regarding the connectivity prior to voting.

MOTION TO AMEND: *by Mr. LeVine to strike changes to #3, to amend #6 to add the verbiage “The vegetative barrier for each phase shall be constructed during that phase”, to strike condition #8 and to strike new condition #9.*

Mr. LeVine spoke saying he does not think they have a choice on #3. The proposed amendment to condition #6 is for clarity. Condition #8 as written is not informative and it is duplicative of existing code.

Mr. Bell spoke in agreement with Mr. Winchell’s concerns but felt that striking #3 would be difficult.

Mr. Arndt said he agrees with the motion to amend. However, regarding the buffer, he agreed with the larger buffer proposed in the original motion and would support even more than 15-feet.

Mr. LeVine withdrew his motion to amend and made a new motion.

MOTION TO AMEND: *by Mr. LeVine to strike changes to #3, to amend #6 to add the verbiage “The vegetative barrier for each phase shall be constructed during that phase”, and to strike condition #8.*

ROLL CALL VOTE

Yea – LeVine, Arndt, Cole, Bell, Voelckers

No – Hickok, Winchell

The motion to amend passed 5-2 on Roll Call Vote

MOTION TO AMEND: *by Ms. Cole to strike the new Condition #9*

Ms. Cole spoke to her motion saying she has no problem with the 15-foot buffer but she is concerned this would require a redesign that would impact the feasibility of the project.

Mr. Winchell and Mr. Arndt spoke in support. Mr. Voelckers said he had looked at the plans and it appeared to him that it would not be difficult to make the adjustment to widen the buffer.

AT EASE 8:39-8:44 p.m.

MOTION TO AMEND: *by Mr. Arndt to strike new condition #9 and add a new #9 to read “The vegetative buffer along the western side of the subject property shall be 15 feet in width and can be reduced to 5 feet with the installation of a fence sufficient to provide a visual and acoustic barrier.”*

ROLL CALL VOTE on the motion to amend

Yea – Winchell, Bell, Hickok, Cole, Arndt, LeVine, Voelckers

No – [none]

The motion to amend passed with no objection on Roll Call Vote

ROLL CALL VOTE on Amended Motion

Yea – Winchell, Bell, LeVine, Arndt, Cole, Hickok, Voelckers

No – [none]

The amended motion passed with no objection on Roll Call Vote

X. REGULAR AGENDA – None

XI. OTHER BUSINESS

a) 2023 Legislative Priorities

Public Works Director Katie Koester presented the Legislative Priorities explaining this is a 'wish list' to be forwarded to state and federal entities for consideration for granting and other programs. She made herself available for questions and asked that the PC let her know their top two priorities from the list and any new projects that they would like to see added to the list. She will then forward that information to the assembly for consideration when preparing the final ranking. The PC priorities need to be to Ms. Koester on or before December 1.

Mr. Arndt asked if Pedersen Hill or New City Hall were going to fall off the list considering current events. Ms. Koester explained the Pedersen Hill development will be addressed at the Assembly level. As for the new City Hall, it still needs to be considered to determine what will be done. As for deferred maintenance, she believes the Assembly is supporting this with the 1% tax recently passed.

Mr. LeVine noticed the numbers under 'amount' on the priority list do not match those in the descriptions in the support documentation. Ms. Koester explained the amounts in the document have been updated by staff. The amounts on the priority list are what the assembly passed last year. The amount to consider is the amount on the description pages.

Mr. Winchell felt the Lemon Creek Multimodal Path and the Second Crossing are very important and said he is happy with this list. Mr. Hickok felt school maintenance should be at the top of the list.

Mr. Voelckers mentioned the declining student population and the talk of closing schools. At one point, there was discussion that Marie Drake was to be demolished and now he sees it on the list for renovation and asked for her input on that. Ms. Koester said there is a significant amount of maintenance needed for CBJ facilities. However, there is a value to taking care of them.

Mr. Voelckers assigned preparation of the memo to Mr. LeVine. Mr. LeVine asked commissioners to get their suggestions to him this week and said he will get it compiled and to staff timely.

XII. STAFF REPORTS

Director Maclean announced they have hired an Administrative Officer who will be starting Monday.

Mr. Hickok asked about the status of staffing and meetings. Ms. Maclean explained the PC will continue to meet twice monthly but committees are on hold until staffing is increased.

XIII. COMMITTEE REPORTS –

Ms. Cole reported Lands committee met last night and forwarded a motion of support to the COW for the Huna Totem Corporation subport lease. They denied a recommendation for Taku Terrace Condo Association to purchase the city property where the condos are built. The sale might be approved if an appraisal can be obtained. They also denied the Parise land disposal request. (PAD2022 0003)

XIV. LIAISON REPORTS

Waahlaal Giidaak/Barbara Blake presented recent assembly meetings and activities. The COW heard an update on the Huna Totem Subport Dock and an update on the Board of Equalization ordinance regarding their procedures. The recent landslide area hazard maps were approved. An ordinance combining the Treadwell, Aquatics, Jensen/Olsen Arboretum and the Youth Activities Boards into a single Parks and Rec Advisory Board was moved from the COW to the full assembly.

Ms. Cole asked if the approved hazard maps would be going before the assembly next. Waahlaal Giidaak confirmed they would. Mr. Arndt had thought the maps were coming back to the PC before advancing to the assembly. Ms. Maclean explained that last evening, the city manager and the assembly met and the maps were introduced. The assembly is currently in the information gathering phase. It will be heard by the assembly on December 28 and then will come back to the PC. The assembly will not take any action to adopt until after December 28.

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

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

Mr. LeVine reported the letter to the assembly regarding the joint meeting is in the works. He has submitted a final draft that will be set to members. He asked members to review and get edit suggestions to him in time for submission to the assembly.

Ms. Maclean reminded the PC that the assembly retreat is scheduled for December 11. The only PC meeting between now and the retreat is November 22. There was a question whether the assembly retreat is open to the public. Attorney Layne was unsure of the status but would look into it.

XVII. EXECUTIVE SESSION – None

XVIII. ADJOURNMENT – 9:25 p.m.

Next Regular Meeting November 22, 7:00 p.m.