

# ***DRAFT MINUTES***

Agenda

**Planning Commission**

***Regular Meeting***

CITY AND BOROUGH OF JUNEAU

*Paul Voelckers, Vice Chair*

September 13, 2022

## **I. LAND ACKNOWLEDGEMENT – Read by Commissioner Cole.**

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 Chair, 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 7:02 p.m.

**Commissioners present:** Commissioners present in Chambers –Paul Voelckers, Vice Chair; Travis Arndt, Clerk; Joshua Winchell; Erik Pedersen; Mandy Cole

Commissioners present via video conferencing – Michael LeVine, Chairman;

**Commissioners absent:** Dan Hickok, Deputy Clerk; Ken Alper; Matthew Bell

**Staff present:** Jill Maclean, CDD Director; Joseph Meyers, CDD Senior Planner; Chelsea Wallace, CDD Administrative Assistant; Lily Hagerup, CDD Administrative Assistant; Sherri Layne, Law Assistant Municipal Attorney

**Assembly members:** Not in Attendance

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

**IV. APPROVAL OF MINUTES**

**A.** August 9, 2022 Draft Minutes, Regular Planning Commission

**MOTION:** *by Mr. Arndt to approve the August 9, 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 or in person

**VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS** –  
Kayla Buerger – spoke to explain she owns a boat condo in Jordan Avenue area and has questions regarding her usage of CBD ingredients in her beverage production in a light commercial zone and wanted information to clarify the zoning guidelines.

**VII. ITEMS FOR RECONSIDERATION** – None

**VIII. CONSENT AGENDA** – None

**IX. UNFINISHED BUSINESS** – None

**X. REGULAR AGENDA**

**AME2022 0005:** A rezone of approximately 10 acres from a D10 single-family to a D10 residential zone

**Applicant:** Moline Investment Management

**Location:** Pederson Hill

**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 requested rezone application of 10.97 acres of Pederson Hill to D10 from D10SF.

**STAFF PRESENTATION** by Director Maclean.

**QUESTIONS FOR STAFF**

Mr. Voelckers asked, for clarification, if the rezone runs with the land. Ms. Maclean confirmed it does.

Mr. Pedersen noticed the side of the property has a street right-of-way, if a new street was adjacent to this, would it be a problem with it being a different zoning. Mr. Voelckers had similar questions. Ms. Maclean said it is a public city street built to City standards at the time of construction with intent to access undeveloped lands, if needed.

#### APPLICANT PRESENTATION

Becky Selle spoke on behalf of the applicant and made herself available for questions.

#### PUBLIC COMMENT

Erin Carriker, 10193 Kwalx Street – spoke in opposition to the rezone saying the increase in density would have a negative impact on traffic congestion in their area.

Ms. Cole asked Ms. Carriker if she clearly understood the difference between D10SF and D10 residential zoning. Ms. Carriker said if the rezone is approved, then it would allow high density. Ms. Cole referenced the staff report online saying the current D10SF zoning allows up to 133 dwelling units and the proposed D10 zoning would allow up to 80 to 110. Ms. Carriker's issue is the congestion in the neighborhood already and adding to it will make it worse.

Mr. Winchell asked if her concern is with the congestion currently as well as the impact that adding more dwellings would impose. Ms. Carriker confirmed her concern is that it is currently congested and additional development will make it worse.

Toni Hinkle – 3000 Karl Reishus Boulevard – spoke in opposition to the rezone saying when they purchased, they were told the area would be single family only and the neighborhood would be built in phases. She expressed concerns that Karl Reishus Blvd is congested and it will be an access point. She is concerned the area is already dangerous and adding more development will make it worse.

Mr. Winchell asked how many and at what times are cars parking on Karl Reishus to access the horse trail. Ms. Hinkle did not have an exact number but explained that the cars park on the corner and makes it dangerous. Mr. Pedersen asked if pedestrians are using the equestrian trail as well. Ms. Hinkle explained people bring their horses from Swampy Acres, cross-country teams use it, people walk their dogs, and it is getting a lot of use.

Ms. Cole asked if she would have the same opposition if the proposal was for the same number of single dwelling units. Ms. Hinkle confirmed she would be opposed to any development and stated it is a safety issue.

Mr. Winchell asked if it would help to have a roundabout and parking for the equestrian trail were added. She said it would be hard to tell.

Shelly Leis – was confused by the maps in the packet and asked which is the subject of the permit. Director Maclean suggested she contact CDD Planner Joseph Meyers tomorrow.

#### ADDITIONAL APPLICANT COMMENTS

Ms. Selle explained the applicants are local Juneau residents and clarified the zoning change would not increase the number of dwelling units allowed. Nor would it effect the infrastructure requirements.

Mr. Winchell asked if Ms. Selle was aware of or shared concerns with congestion or the horse trail that had been brought up. Ms. Selle reiterated the density is not changing and their proposal will not have an effect.

#### QUESTIONS FOR STAFF

Mr. Pedersen asked how long D10SF zoning has been around. Ms. Maclean said it dates back to about 2010. The intent was to make the Flats neighborhood conforming.

Ms. Cole asked staff to clarify the number of dwelling units are possible under the two zones. Ms. Maclean explained the dwelling units are the same at 10 per acre. D10SF allows only single-family homes and D10 would allow opportunity for other types of dwellings.

Addressing the traffic congestion concerns, Ms. Maclean explained single family homes have higher average daily trips. With all single-family homes, they expect an average of 1,266 vs 532-732 for multi-family development.

Mr. Voelckers referenced the safety and congestion issues brought up in public testimony and asked if or how the department plans to address that as the development grows. Ms. Maclean explained it is planned as a multi-phase development and she believes infrastructure improvements such as roads would happen as needed.

Ms. Arndt asked how many units in total are planned in the total of the phases. Ms. Maclean did not have that number at hand and said she would get back to him with that.

**MOTION:** *by Ms. Cole to accept staff's findings, analysis, and recommendations, and approve AME2022 0005.*

Ms. Cole spoke to the motion saying she understands the concerns of the neighbors. However, the rezone does not increase the number of dwelling units or the access to them.

Mr. Winchell spoke in support of the motion adding that the record reflects the traffic concerns in the area. Mr. Levine also expressed support for the motion adding that he recognizes the concerns of the neighborhood residents. However, at the time of purchasing their properties, it was not a secret that there would be more development in the future. Given the community need for affordable housing, he feels it is appropriate to approve this rezone. Mr. Arndt spoke in support stating the rezone is primarily a change of style of housing but not of density. He said the community concerns regarding traffic will be pertinent when the developer comes back with a conditional use permit application.

Mr. Pedersen is not in support of the motion because it feels like spot zoning rather than a rezone. Ms. Maclean explained this exceeds two acres and does not qualify as spot zoning.

#### **ROLL CALL VOTE**

**Yea:** Cole, Winchell, Arndt, LeVine, Voelckers

**No:** Pedersen

**The motion passed 5-1 on Roll Call Vote.**

<b>PAD2022 0001:</b>	A Land Disposal of 3,000 square feet
<b>Applicant:</b>	Jon & Susanne Reiswig
<b>Location:</b>	North Douglas Highway

#### **Staff Recommendation**

Staff recommends the Planning Commission adopt the Director's analysis and findings and forward a recommendation of **DENIAL** to the CBJ Assembly for the acquisition and disposal of land by the CBJ.

STAFF PRESENTATION by Director Maclean.

#### **APPLICANT PRESENTATION**

Jon Reiswig presented his proposal for purchase of the land. He would like to purchase and develop the parcel.

#### **QUESTIONS FOR APPLICANT**

Mr. Arndt asked if Mr. Reiswig has asked for a Right of Way. Mr. Reiswig had not. Mr. Arndt asked if he would be interested in a right of way. Mr. Reiswig said the right of way option would be acceptable to him. Ms. Maclean clarified the applicant is planning to subdivide in the future and, in that case, an easement would not be an allowable option.

Ms. Cole asked how the shared driveway would create an impact on water or electric lines. Mr. Reiswig said then he would not have to worry about his neighbor's water or electric lines across

the driveway. He added that a shared driveway would make for a very long driveway for the neighbor.

#### COMMISSIONER DISCUSSION

Mr. Pedersen asked if the recommendation of denial was based on a restriction against further subdividing the lots. Ms. Maclean said her recommendation was based on her determination that this proposal does not conform to the Lands Management and other adopted plans.

Mr. Voelckers asked if there was a concern that this decision could set a precedent. Ms. Maclean said that it could be an issue but that is not the main reason for her recommendation for denial. She reiterated the application does not seem to meet the objectives of the Land Management Plan. She added that she understood this may be the convenient access for the applicant, but she didn't see that it matches the plans or is necessary for them to subdivide and meet current standards.

Mr. Winchell asked what the strategic purpose is for the CBJ retaining a 3,000-foot parcel. Ms. Maclean said CDD neither approves nor adopts the Land Management plan. It is adopted by the assembly. CDD then has to follow and uphold it. This parcel is retained or dispose but this proposal does not meet the land management objectives for disposal.

Ms. Cole asked what the overall size of the CBJ lot is that this 3,000-foot parcel would come from. It is approximately 65,340 square feet.

**MOTION:** *by Mr. Arndt to accept staff's findings, analysis, and recommendations, and **DENY** PAD2022 0001.*

Mr. Arndt spoke against the motion saying he disagreed with the Director's findings that the proposal is not in line with the plans. He added that he agrees the applicant could develop differently, but that is not what he wants to do. The CBJ isn't utilizing the land and after the disposal, the CBJ will still have a large parcel leftover.

Mr. Winchell and Mr. Pedersen also spoke against the motion.

Mr. LeVine spoke in support of the motion saying we don't know what will happen in the future and wouldn't want to limit future options based on preference of the current owner.

Ms. Cole said she is unsure how she will vote saying she can see both sides. Mr. Voelckers also felt this was tricky but said he is swayed to vote against the motion.

**Roll Call Vote:**

**YES:** LeVine

**NO:** Arndt, Pedersen, Winchell, Cole, Voelckers

**The motion failed 1-5 on Roll Call Vote.**

**MOTION:** by Mr. Arndt to recommend approval to the assembly for the land disposal PAD2022 0001 with the following findings:

- *It demonstrates the public interest by creating another option to subdivide property and create more housing within the borough. That housing could be in-fill lots. It could also be affordable or workforce housing.*
- *It conforms to the housing action and land management plans.*
- *It does not limit the options the CBJ*
- *It does not negatively affect life, health and safety.*
- *It possibly increases the tax rolls, whether through a new subdivided lot or affordable/workforce housing.*

Mr. Winchell, Ms. Cole and Mr. Pedersen spoke in support of the motion.

Mr. LeVine spoke against the motion citing the same reasons that he supported the original motions.

**Roll Call Vote:**

**YES:** Arndt, Pedersen, Winchell, Cole, Voelckers

**NO:** LeVine

**The motion passed 5-1 on Roll Call Vote.**

**XI. OTHER BUSINESS – None**

**XII. STAFF REPORTS**

Director Maclean reported

- Assembly liaison Hughes-Skandijs is at Southeast Conference and unable to attend this meeting
- Welcome Lily Hagerup, Admin Assistant to CDD
- CDD has recently hired a Planner II. They will begin on October 10
- DOT will hold listening sessions about the second crossing project. This is a DOT project and not CBJ
- Assembly met and adopted Alternative Development Overlay District. It will be in effect in 30 days
- Assembly approved the Catholic Community Services rezone to light commercial
- Regarding the public testimony on non-agenda items, using marijuana products in products is not considered light commercial. It currently requires industrial zoning.

Mr. Levine congratulated the commission and Ms. Maclean on the passage of the Alternative Development Overlay District. Director Maclean extended thanks to Planner Gallion for her work as well.

**XIII. COMMITTEE REPORTS**

Mr. Arndt reported Title 49 will meet next Thursday, September 22.

Mr. Voelckers reported Juneau Commission on Sustainability met last week. CBJ Wastewater presented and explained CBJ is experiencing problems with local restaurants dumping cooking grease down the drains. An interesting fact he learned is the biosolids dryer process uses more oil than the entire CBJ Transit system buses.

Ms. Cole reported Lands Committee met and discussed Tlingit/Haida Regional Housing Authority acquiring Pederson Hill. They also discussed Telephone Hill and the concerns of the current residents there. Lands manager Dan Bleidorn also presented and told the committee the majority of acquisitions do not result in the loss of tax revenue. Land disposals have been helpful to the city and to meeting land management goals.

**XIV. LIAISON REPORTS – None**

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

**XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS – None**

**XVII. EXECUTIVE SESSION – None**

**XVIII. ADJOURNMENT – 9:06 p.m.**

Next meeting is scheduled September 27, 2022 7:00 p.m.