

MINUTES

**PLANNING COMMISSION**  
CITY AND BOROUGH OF JUNEAU  
**Mike Satre, Chairman**

REGULAR MEETING  
**October 8, 2013**

**I. ROLL CALL**

Dennis Watson, Vice 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 7:01 p.m.

**Commissioners present:** Dennis Watson, Vice Chairman; Nathan Bishop, Jerry Medina, Karen Lawfer, Nicole Grewe, (telephonically); Ben Haight, Dan Miller

**Commissioners absent:** Mike Satre, Chairman; Marsha Bennett

**A quorum was present**

**Staff present:** Hal Hart, Planning Director; Beth McKibben, Senior Planner; Sarah Bronstein, Planner I; Ben Lyman, Senior Planner; Travis Goddard, Planning Manager; Rob Steedle, Deputy City Manager; Greg Cheney, Lands and Resources Manager; John Nelson, Engineering Assistant II

**II. APPROVAL OF MINUTES**

- September 24, 2013 – Regular Planning Commission Meeting

**MOTION:** *by Mr. Miller, to approve the minutes of the September 24, 2013, Regular Planning Commission Meeting with any minor corrections made by either staff or fellow commissioners.*

There being no objection, the minutes from the above meeting were approved.

**III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS – None**

**IV. PLANNING COMMISSION LIAISON REPORT – None**

V. **RECONSIDERATION OF THE FOLLOWING ITEMS** – None

VI. **CONSENT AGENDA**

- Mr. Miller noted for the record that he had a conflict with item AAP2013 0016 and would not be participating in any votes on that item.
- Item CSP2013 0023 was removed from the Regular Agenda and placed on the Consent Agenda.

AAP2013 0016:            Accessory apartment on a lot not served by city sewer.  
Applicant:                Israel Ginn  
Location:                 17730 Point Stephens Spur Road

**Staff Recommendation**

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested accessory apartment permit. The permit would allow the development of a new single-family dwelling and a 258 square foot associated accessory apartment at 17730 Point Stephens Spur Road.

The approval is subject to the following conditions:

1. Prior to issuance of a Certificate of Occupancy for the accessory apartment, the applicant must provide documentation from the Alaska Department of Environmental Conservation stating that an on-site wastewater disposal system, with the appropriate rated capacity, has been approved.

CSP2013 0023:            Pioneer Ave., Phase III, replace embankment, uphill sidewalk and water main and services. Upgrade sanitary sewer system. New curb, gutter, asphalt paving and underground storm drain system. Remove downhill sidewalk.

Applicant:                City and Borough of Juneau  
Location:                 Pioneer Avenue

**Staff Recommendation**

Staff recommends that the Planning Commission recommend that the Assembly approve the proposed project, as prescribed at CBJ 49.10.170(c).

**MOTION:** *by Mr. Bishop, to approve the consent agenda as read and accept the staff's findings, analyses and conditions.*

There being no objection, the motion was approved.

**VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS - None**

**VIII. UNFINISHED BUSINESS - None**

**IX. REGULAR AGENDA**

CSP2013 0022: Meander Way, replace embankment, add 5' sidewalk, new curb and gutter on West side. New valley gutter on East side. Upgrade and reconfigure underground drainage system. New asphalt pavement.

Applicant: City and Borough of Juneau

Location: Meander Way

**Staff Recommendation**

Staff recommends that the Planning Commission adopt the above analysis and findings, and recommend to the Assembly authorization of the reconstruction of Meander Way from Stephen Richards Memorial Drive to Stream Court, with upgraded drainage and the street cross section provided.

Ms. Bronstein informed the Commission that this project involves the reconstruction of Meander Way which runs from Stephen Richards Memorial Drive to Stream Court. The street is surrounded by D-5 zoned land. Phase I of the project involved Northland and Turn Street. The street is within easy walking distance of the Dimond Park Aquatic Center and Community Center, and Thunder Mountain High School, as well as Riverbend Elementary School.

Ms. Bronstein said the parking will change with the implementation of this project. There is currently no legal parking on Meander Way. Once the signage for the project is complete, there will be no parking allowed on the sidewalk side of the street, with parking allowed between April and November on the east side of the street, which will have no sidewalk. The Meander Way project will connect to Northland, which was recently reconstructed. Northland Street is very similar in design to the Meander Way design, but it is one foot narrower than the Meander Way design.

Sidewalks for both streets are five feet wide, and will connect.

The project has been checked for consistency against the Juneau Comprehensive Plan, the Juneau Area-wide Transportation Plan and the Non-Motorized Transportation Plan. The public has been given several opportunities to provide feedback on the project. Initially the project was designed like Northland, to have two ten foot lanes. As a result of community input, the lane width was widened to 10.5 feet.

Ms. Bronstein said that the staff has received two letters of support, and also a petition from the neighborhood requesting that the road be widened to 25 feet from the edge of the sidewalk to the center of the gutter. Ms. Bronstein said that currently that distance is 24 feet.

She said if the measurement is taken from the edge of the sidewalk to the end of the gutter the measurement is currently 25 feet.

Meander Way resident Bud Jaeger told the Commission that he objected to the narrowing of Meander Way, especially since the residents were given no notice of this action in the communications from the City. He said he knew that the Northland and Turn residents were not notified of their lane narrowing either, and he felt this was a poor practice on the part of the City. Mr. Jaeger said the description of the project just described the addition of the sidewalk, not the subtraction of the street width.

Mr. Jaeger said he did not think this would make the situation safer for the children. He said in the winter the children would still be walking in the street, only now they would have a much narrower street to walk in, making the situation much more dangerous for the children.

The residents have not been provided with any information on the purported safety of narrow streets, said Mr. Jaeger. They were just told that it was available on the internet. He said if narrow streets were safer, then he did not understand why the City was not making its other, newer subdivision streets narrower.

Mr. Haight asked how Mr. Jaeger was measuring the streets.

Mr. Jaeger said he was measuring curb to curb.

Mr. Haight said the City was measuring a 10.5 foot lane plus the back side of the curb.

Ms. Lawfer asked Mr. Jaeger if he was able to attend the September 5, meeting conducted by the City.

Mr. Jaeger said he was able to attend that meeting. Mr. Jaeger said there were no handouts. He said at the meeting there was the notice that the meeting was going to be held, and there was a big map on the wall.

John Nelson, the project manager, said they had a preliminary meeting at Mr. Jaeger's home prior to the public meeting, and he was shown the project plans, which were very similar to Northland Street. As a result of that preliminary meeting, they widened the lanes a little bit prior to the public meeting, during which they went into as much detail as possible about the project.

Mr. Miller asked Mr. Nelson about new subdivision requirements vs. CBJ requirements. He wanted to know if the standards were different, requiring private developers to build to one standard while the CBJ could build to a lesser standard.

Mr. Nelson said there are set minimums which need to be followed, but specifically he did not know what they were.

Under further questioning from Mr. Bishop, Mr. Nelson said that while there are set standards for subdivisions, and standard specifications for language for the asphalt and concrete,

decisions as to road width are based upon what the department has learned over the years. He said people want the traffic slowed down, and narrowing the roadways leads to slower traffic.

Mr. Medina said on page four of the staff report in the bottom paragraph it appears that the City department may have a slightly different standard from one CBJ street to another depending on the subdivision and the characteristics that exist. Mr. Nelson confirmed that this is so.

Ms. Lawfer wanted to know if there was parking on one side of the street on Northland.

Ms. Bronstein confirmed that there was parking between April and November.

In response to Ms. Bronstein's statement that cars cannot pass each other on Northland Street, Mr. Watson said that cars can pass each other on Northland and Turn Streets.

Mr. Watson asked if the sidewalk being constructed on Meander Way would be connected to the existing sidewalk that is further down on Meander Way. He was told that it would connect.

**MOTION:** *by Mr. Bishop, to move CSP2013 0022 to the Assembly with the recommendation for construction.*

Speaking in favor of the motion, Mr. Bishop said he was in favor of the project. He said he thought Mr. Jaeger brought up some worthwhile points. He said he also felt that Mr. Nelson and the City were correct when it was stated that smaller driving surfaces can make for safer pedestrian access, especially when there is a sidewalk associated with them.

Mr. Bishop added that this project brought up the very good point that there were different standards for the public and private sectors. He said it was not right that the public was building roads that were wider than what the City deemed necessary or the best alternative. Mr. Bishop said he would urge the City towards standardizing its specifications so that the private sector did not have to do more than the public sector.

Ms. Lawfer also spoke in favor the motion. She said there is no more room on the road for further expansion. There is a river on one side of the road and housing on the other side. She said as always, any time that there is a sidewalk tying into an existing system, she is in total support of that.

The motion passed with a unanimous vote in favor of the motion.

**X. BOARD OF ADJUSTMENT**

**XI. OTHER BUSINESS**

- Pederson Hill Rezone

Mr. Chaney, the CBJ Lands Manager, came before the Commission to initiate a rezone. A

rezone may be initiated by the Planning Commission, Planning Commission Director, or the Assembly at any time during the year. Mr. Chaney stated as Lands Manager, he was in the position of a property owner. They were beginning the development of an affordable housing project in the area of Pederson Hill.

The area is located before Auke Lake off Glacier Highway headed out of town. In the current Comprehensive Plan the land is zoned RDR transitioned to MDR (Rural Dispersed Residential to Medium Residential zoning). Under the draft Comprehensive Plan, expected to be adopted soon, the land is simply zoned Medium Residential. That zoning allows five to 20 units per acre, currently zoned D-1 transitioned to D-5. The City property is completely undeveloped.

Mr. Chaney proposed that the more level portions of the land be zoned D-10SF, with the upper portion of the land; on the face of the hill, be zoned D-10. Because of the steepness of the upper portion of the land, in addition to the presence of wetlands, the units will have to be clustered, thus limiting the number of units which will be able to be constructed, explained Mr. Chaney.

Mr. Chaney explained the D-10SF is a different approach for the CBJ. It is modeled on the “Flats” of downtown Juneau. Compared to D-10 the lot size is much smaller, explained Mr. Chaney. Mr. Chaney described this type of zoning as a traditional “trick-or-treat” neighborhood. Items such as duplexes, day cares and restaurants are difficult or not allowed in this type of zoning, said Mr. Chaney. He said this is a proposal to build the type of neighborhood not seen in Juneau for the past 100 years.

While this type of zoning does not guarantee affordable housing, said Mr. Chaney, it certainly is trending in that direction. Smaller lots, all other things being equal, should result in lower sale prices, and less expensive housing.

Mr. Bishop said he supports the idea of transitioning to a higher density. But he said that he felt more affordable housing would be obtained through multiple density housing, not single family housing. Mr. Bishop said that he would urge that they stick to D-10 zoning for this particular project.

Mr. Chaney made the point there is already a significant amount of multi-family zoned land with projects coming on board in existence. He said he was just trying to provide one small unique area in Juneau, with the vast majority of this area still zoned D-10. He said the per-unit cost of development of a single unit area is higher than a multi-unit development. He said they were just asking for zoning of this one little area – they weren’t going “whole hog”.

Mr. Haight said he found this type of zoning intriguing, and that he liked it.

Mr. Medina said that he liked the concept of this type of D-10SF zoning. He said he noticed that the Lands Committee had approved the zoning. He wanted to know why the Lands Committee approved of the zoning.

Mr. Chaney said they generally seemed to find it an appropriate direction. Mr. Chaney said that most of the City land that is near a road is zoned multi-family right now. He said as the City moved forward, the Commission would be seeing land being made available that was zoned multi-family.

Mr. Medina asked Mr. Chaney's opinion based upon his experience as former Planning Manager, on having zoning requests opened up to the public for only the two months of January and July.

Mr. Chaney said he had always found it a little bit peculiar. He said they always allowed any other type of application at any point during the year. He said he thought the original intent was to have people doing similar zone changes together instead of piecemeal. He said Juneau zone changes have not tended to come across that way anyway; they have always tended to come across pretty isolated. Mr. Chaney said he has not really seen the advantage.

Mr. Miller said he liked the concept of the D-10SF zoning. He knew that the people that lived in the Flats loved their homes and neighborhood. He said he felt being able to build energy efficient homes in that area would make the homes affordable. He said he felt it was a great idea and that if Mr. Chaney was looking for a motion by the Commission to initiate a rezone then he was all for it.

Mr. Watson said that he had attended the Lands Committee meeting and that the concept was well presented. Mr. Watson said that he also attended the public meeting conducted by Mr. Chaney and the staff, and that it was well received. The capacity for providing all of the City services is there, said Mr. Watson. There will not be an unnecessary burden placed on the system, or financial burdens placed on the Borough. Mr. Watson said that he also agreed with Commissioner Miller; he said the City needed to be careful that it did not start sprouting apartments everywhere. Mr. Watson said this is a good area and ideally suited for what Mr. Chaney has described. Mr. Watson said that he would be speaking in support of this project.

**MOTION:** *by Mr. Bishop, that the Commission recommend forwarding this recommendation on to the Assembly, with the proposal that the whole property be zoned D-10, with the option of D-10SF zoning for a portion of the property as outlined in Mr. Chaney's proposal.*

Mr. Bishop said that he was going to speak against the motion. He said that he liked the idea of D-10SF, and he thought that it was a good thing for the community, but he did not think that this was the right place for it. He said he felt that D-10SF was most suitable for a location with very gentle topography. This location did not match that. The Flats are flat for a reason, said

Mr. Bishop; because they are flat. They don't pose any difficulties for development. This land has forested wetlands. It is not easy to develop a 30 foot-wide lot with a slope to it, he said.

Mr. Miller said there may be a better location in the borough for land with this zoning, and Mr. Bishop did have some valid concerns, and there may be some difficulty with the topography. But that does not mean the land is locked into that zone if it did not work, said Mr. Miller. But going forward, this zoning matches everything the Commission has been talking about since he has been on the Commission for seven and a half years, he said. At this early stage in the planning, it's the right plan, he said.

Mr. Haight said that he favored the motion. Mr. Haight asked where the Commission decision on this vote went from this stage. Mr. Chaney said that his request was to have the Commission evaluate the request and bring it forward as a rezoning proposal, not to bring it straight to the Assembly.

Mr. Haight made a friendly amendment to the motion to take the recommendation to Community Development, to bring it forward as a rezone proposal.

Mr. Medina spoke in favor of the motion. He said he liked the concept. He said that he felt that the recommendation of Mr. Chaney and of the Lands Committee should move forward to Community Development for a rezone.

Ms. Grewe spoke in favor of the motion as well.

Ms. Lawfer spoke in favor of the motion. She asked if Community Development would be looking at the topography.

Mr. Chaney explained that the dotted lines on the map indicated the topography of the land.

Mr. Bishop said that he was not clear on what the amendment to the motion was.

Mr. Haight clarified that the amendment was to revise submission of the recommendation back to the Community Development Staff for preparation to bring back to the Planning Commission instead of taking it to the Assembly.

Mr. Bishop said that sounded good. He said with that he was going to support the motion as well. He said there is a great justification for both types of zoning in the area. He just hated to see all eggs put in one basket.

**(Revised Motion:** *that the Commission recommend forwarding this recommendation on to the Community Development staff, with the proposal that the whole property be zoned D-10, with the option of D-10SF zoning for a portion of the property as outlined in Mr. Chaney's proposal.*)



### **Roll-Call Vote:**

**Ayes:** All in favor except for Commissioner Grewe

Having spoken in favor of the motion, Commissioner Grewe was disconnected from the phone before her vote.

### **MOTION PASSED**

## **XII. DIRECTOR'S REPORT**

- Schedule Special Planning Commission Meeting for APL2013 0004

Ms. McKibben told the Commission it was time to set the date for the special meeting for Mr. Yankee's appeal. It was agreed by the Commission to set the appeal special meeting time and date for 5:00 p.m. on October 22, 2013.

- Auke Bay Area Community Meetings

Mr. Hart said he thinks there is some question from community members as to if they are not residents of the immediate area if they should be participating in the meetings. Mr. Hart said he feels as far as participation goes, "the more the merrier". Out of the community members that attend these meetings, the Commission will identify members who will comprise a steering committee. Mr. Hart said he hoped that Commission members would have time to attend one of the meetings to get a sense of what they were about.

Mr. Hart said meanwhile he has met with property owners in the area who have significant development plans that would address housing, storage, and commercial, mixed use. They have been talking about the concept of public investment leveraging private investment.

- Comprehensive Plan Review

The Assembly Lands Committee completed its Comprehensive Plan review. There was a great showing from the Planning Commission at that meeting. They are already looking forward to the public hearing on that.

- Empire Story on Growth

The Empire wants to do a story on growth in the community. Mr. Hart read some of the projects listed in the paper; two new churches, several new apartment complexes, the SLAM (State of Alaska Library, Archives and Museum) project, the Sealaska Museum, the 120 unit dorm on the University campus, and many other projects, such as the state property in Douglas that is being remodeled. There is also the new City library, said Mr. Hart, in addition to

individuals coming into the Planning office, as always, and talking about new projects which may be coming into the community in 2014.

- Puget Sound Regional Conference

Mr. Hart said he just attended the Puget Sound Regional Conference. He said the next regional conference will be in Washington. Mr. Hart said that Commission members have expressed the interest in attending this conference, and that he would do what he could to see that this happened. It is an important conference, with good information. He said the trend to D-10SF zoning just discussed earlier in the evening by Lands Manager Greg Chaney was discussed at the conference, and is an important trend right now. People can't afford the big houses like they used to, said Mr. Hart, plus the huge energy costs associated with those big houses. The trend is towards smaller houses and the use of less energy to maintain those homes.

Mr. Watson asked if Parks and Recreation and Docks and Harbors were aware of the Auke Bay Community meetings.

Mr. Hart said yes they were; he had met with both directors individually.

Ms. Lawfer noted there was a Notice of Appeal from Mr. Harris. She wanted to know if there was any action that needed to be taken by the Planning Commission.

Ms. McKibben responded that his appeal is to the Assembly of the Planning Commission decision.

Mr. Watson noted that any Commissioner that wished to attend the appeals could notify Mr. Hart or the City Clerk and they would notify the Commissioner of any dates.

### **XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES**

#### WETLANDS REVIEW BOARD

Mr. Medina reported that the Wetlands Review Board met, continuing its review of the wetlands methodology. They conducted some training, and some of the eight local agencies were involved, as well as some consultants. They went into the field and applied those methodologies. A report will be prepared for the Wetlands Review Board.

#### COMMISSION ON SUSTAINABILITY

Mr. Haight reported that the Commission on Sustainability met last week. They had a presentation by representatives from Arrow Refuse on its recycling program. They discussed possible enhancements to the program.

#### LANDS COMMITTEE

Mr. Bishop reported that the Lands Committee met last week. They had before them the use

permit for culvert replacement at Amalga Harbor, which they recommended go before the Assembly, as well as the communication tower at Eaglecrest. They also recommended that the Affordable Housing Commission set up to create more residential units, remain for further editing. There was also discussion on an easement for the Russian Orthodox Church for drainage and access, and a long discussion on the use of sand and gravel within the City and Borough.

SUBDIVISION REVIEW COMMITTEE

Mr. Watson reported that the Subdivision Review Committee met to review a project that sits at the corner of Sherwood Lane and Glacier Highway. This property is industrially zoned, and the owner wishes to create smaller lots.

**XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS**

Mr. Bishop said he felt the Commission was treading on thin ice when it forwarded on a zone change request on behalf of the City when it ignored a zone change request from Ms. Farnworth's application. Mr. Bishop said he felt the Commission needed to be very careful how it treated public entity vs. a private entity. Mr. Bishop said that he felt that Ms. Farnsworth's application warranted as much attention as the City's application. He said he felt that her application was quicker to move on, and perhaps more pressing than the city's application.

Mr. Bishop said he felt more than anything the City needed to change its ordinance so that the public can apply at any time for a rezone.

**MOTION:** *by Mr. Bishop, that the Planning Commission direct staff to change the ordinance so that an individual can apply for a zone change at any time of the year, rather than just the two months that have been allotted for it at this point in time.*

Mr. Watson said that was a good comment, and that perhaps the Commission could work with Community Development to bring that onto the agenda sooner rather than later if possible.

Mr. Miller said that he would second the motion.

Mr. Watson said that he would agree but that unfortunately they were past the motion stage, but that they would like it on the agenda.

Mr. Bishop asked staff when the Commission has the authorization to initiate a zone change; when is the appropriate time for motions to be made.

Mr. Hart said he thought it was most appropriate when it was on the agenda so that the public knew it was up for discussion; but if the motion was to put it on a future agenda, then the present time would be appropriate, he felt.

Mr. Bishop said he wondered if his motion was standing or if it was out of order to make the motion at this time.

Mr. Watson said at this point in time it was out of order, but that did not remove the urgency that the Commission has. He said that he would encourage Mr. Bishop to work with Mr. Hart and the Planning Manager to see that when the item comes before the Commission it is smooth and ready for the Commission to act upon.

Mr. Bishop said that he would like an answer as to the efficacy of his motion.

Mr. Medina said he was wondering if this issue should be sent to the Title 49 Committee, with the Title 49 Committee referring this to the Commission for review.

Mr. Watson said as far as the motion the answer was “no”, but that he did not think the Commission needed a motion to convey its interests.

Mr. Miller said that he wanted to make sure that the staff is clear on the direction the Commission is giving them. He asked the staff if it was coming back to the Commission with a recommendation on how to change the existing ordinance on the process and means to change the ordinance with a timeline.

Mr. Hart answered in the affirmative.

## **XV. ADJOURNMENT**

The meeting adjourned at 8:38 p.m.