

DRAFT MINUTES

Agenda

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Michael Levine, Chair

January 24, 2023

I. LAND ACKNOWLEDGEMENT – Read by Commissioner Bell.

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

Michael LeVine, 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 7:06 p.m.

Commissioners present: Commissioners present in Chambers – Paul Voelckers, Vice Chair; Dan Hickok, Deputy Clerk; Matthew Bell; Erik Pedersen; Mandy Cole

Commissioners present via video conferencing –

Commissioners absent: Michael LeVine, Vice Chair; Travis Arndt, Clerk; Joshua Winchell

Staff present: Jill Maclean, CDD Director; Irene Gallion, Senior Planner; Jennifer Shields, Planner II; Ilsa Lund, CDD Administrative Assistant; Sherri Layne, Law Assistant Municipal Attorney

Staff present via video conferencing – Adrienne Scott, Planner I

Assembly members: Waahlaal Giidaak/Barbara Blake

III. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA - Acting Chair Voelckers reordered the order of the agenda to hear the ORV riding park case (USE22-15) first.

IV. APPROVAL OF MINUTES

- A.** December 13, 2022 Draft Minutes, Regular Planning Commission
- B.** January 10, 2023 Draft Minutes, Regular Planning Commission

MOTION: *by Mr. Pedersen to approve the December 13, 2022, and January 10, 2023 Planning Commission Regular Meeting minutes.*

- V. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION** – Acting Chairman Voelckers briefly explained the rules and procedures for participating via in-person or zoom formats.

- VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS** – Mr. Murray Walsh addressed the commission on behalf of James Parise regarding a past application. Attorney Layne explained there is currently no application pending. The original application has gone through the process and this matter is closed unless or until a new application is submitted.

- VII. ITEMS FOR RECONSIDERATION** - None

VIII. CONSENT AGENDA

Case Number: PAD2022 0004
Applicant: 1000 Harbor Way LLC
Location: 1000 Harbor Way

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and forward a recommendation of APPROVAL to the CBJ Assembly for the disposal of approximately 4,812 square feet of CBJ land at 1000 Harbor Way.

MOTION: *by Mr. Pedersen to accept staff's findings, analysis, and recommendations, and approve PAD2022 0004.*

The motion passed with no objection.

- IX. UNFINISHED BUSINESS** - None

X. REGULAR AGENDA

Case Number: USE2022 0015
Applicant: CBJ Parks & Recreation, Juneau Off-Road Association
Location: N/A

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 an Off-Road Vehicle (ORV) Riding Park at 35- Mile in a Rural Reserve (RR) Zone.

STAFF PRESENTATION by Director Maclean

APPLICANT PRESENTATION – Michelle Elfers, Deputy Director, CBJ Parks and Rec, and Darrin Crapo, Juneau Off-Road Association, presented the project.

Ms. Elfers described the history of off-road activities and the process that brought this project forward. Darrin Crapo explained the proposed trail design plans and features.

QUESTIONS FOR APPLICANT

Ms. Cole asked how they would control for noise levels and loud vehicles. Mr. Crapo explained there are standards for noise levels and they would monitor and enforce noise levels. In order to use the ORV riding park, participants must register their vehicles to ensure they are in conformance with the rules.

Mr. Hickok asked if there would be other fees in addition to the annual vehicle registration. Mr. Crapo said the intention is for the registration fee to be enough to cover operation and maintenance costs. Mr. Hickok asked if the park would be open year-round or open for overnight camping. Mr. Crapo said no to both for the time being.

Mr. Pedersen asked if there was any concern regarding any of the recommended conditions. Mr. Crapo said they are comfortable with the conditions. Ms. Elfers expressed concern with the decibel limitation at the entry of the parking lot. She explained there would be traffic and other noises in addition to individual vehicles and she would hate to see the park shut down because of that peripheral noise.

Mr. Voelckers asked whether vehicles would be accessing or crossing Cowee Creek or Fish Creek. Ms. Elfers and Mr. Crapo both said the park is actually a distance from the creeks and they are not accessible.

Ms. Cole asked about the parking lot capacity. Mr. Crapo explained most ORV are transported in the back of a pickup rather than with truck and trailer. The parking lot is planned to accommodate trailers. Therefore, capacity should not be an issue. Ms. Cole asked what would be the capacity for the park. Mr. Crapo says they hope the park is used and that they find capacity and opportunities to expand.

Mr. Voelckers asked whether winter use was being considered. Mr. Crapo and Ms. Elfers explained that it is not currently being considered for winter use.

Mr. Bell asked if the trail would be one-way. Ms. Elfers answered they are still in the design phase and they hope eventually to have both one-way and two-way portions.

PUBLIC COMMENT

Stephen Mattson – Thanked the applicants for their work and spoke in support of approval.

Huck Daugherty – Spoke in support of the project saying Juneau needs safe and legal areas for ORV riding.

Noah Lager – Noah is a member of Southeast Jeep Club and supports the park.

Nolan Ramseth – Spoke in support of a maintained ORV riding park.

Calvin Boddy – Spoke in support saying this is needed in Juneau.

Dwight Nicholson – Spoke in support saying he has seen this issue come up before and would like to see it happen.

Jonah Brown – Spoke in support saying this is a good opportunity to promote safe riding.

Ms. Cole asked if riders will still have fun if it is controlled. Mr. Brown said it would be fun and safe.

Linda Mattson – Thanked the PC and CBJ P&R for bringing this forward.

ADDITIONAL APPLICANT COMMENTS – Ms. Elfers said from Parks and Rec perspective, there is a struggle with illegal ORV riding activity on public lands. Providing a legal alternative would mitigate that.

COMMISSIONER DISCUSSION

Ms. Maclean addressed Ms. Elfers' question regarding noise level at the park entrance saying it would be reasonable to not have volume checks at the entrance to the parking lot.

Mr. Hickok asked who would collect the fees (CBJ or Juneau Off Road Association). Ms. Elfers said that has not yet been decided but it is still in discussion.

Mr. Pedersen asked about the condition regarding site perimeter controls. Ms. Elfers said they will use signage, downed trees, natural topography and maybe some fencing to mark perimeters.

Ms. Cole asked if they had heard any reasonable objections to the project. Ms. Elfers said they have not.

MOTION: *by Ms. Cole to accept staff's findings, analysis, and recommendations, and approve USE2022 0015 with the following modifications*

- *Modify condition # 12 to read "The sound volume measured inside the riding park at the trail entrance of the parking lot shall not exceed 65 dba during the day or 55 dba at night."*
- *Strike condition # 19*
- *Amend Condition # 1 to read: "A finalized management plan issued by Parks and Rec" and remove the JORA portion.*

MOTION: *by Mr. Pedersen to remove Condition #12*

Mr. Pedersen spoke to his motion saying noise levels are limited to 96 dba in the following condition.

Ms. Maclean said Condition #12 applies to the total noise level from the park and other conditions apply to individual vehicles.

ROLL CALL Vote on Motion to Amend

Yea: *Pedersen, Hickok, Bell*

No: *Cole, Voelckers*

Motion to amend fails with less than 4 Yeas

The original motion passed with no objection.

*****AT EASE 8:25-8:30 p.m.*****

Prior to hearing AME2022 0006 and 2022 0008, Mr. Voelckers declared a conflict and recused himself from the hearing and appointed Ms. Cole acting Chairman.

Case Number: AME2022 0006
Applicant: Central Council Tlingit & Haida
Location: Aak'w Kwaan District

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 of approximately 4.2 acres in the Aak'w Kwaan District from MU2 to MU, eliminating zoning setback requirements, lot coverage restrictions and height restrictions. This area includes 3.7 acres in the application, and a half-acre extension of the west boundary of the rezone to Capital Avenue.

MOTION: *by Mr. Hickok to continue AME2022 0006 to the February 14 meeting due to lack of quorum.*

The motion to continue passed with no objection

Case Number: AME2022 0008
Applicant: City & Borough of Juneau
Location: Aak'w Kwaan District

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 approximately 6.6 acres in the Aak'w Kwaan District from MU2 to MU, eliminating zoning setback requirements, lot coverage restrictions and height restrictions. The area includes 5.7 acres originally proposed for rezone

by the CBJ, and staff's proposed extension of the east boundary of the rezone to include the Four Points Sheraton (Parcel # 1-C07-0-K75-002-0, TIDELANDS ADDITION BL 75 LT 8 – 16), adding 0.9 acre.

MOTION: *by Mr. Hickok to continue AME2022 0008 to the February 14 meeting due to lack of quorum.*

The motion to continue passed with no objection

Mr. Voelckers rejoined as Chairman.

XI. OTHER BUSINESS - None

XII. STAFF REPORTS

Director Maclean reported:

- The February Title 49 Meeting will occur at Noon February 23
- The Assembly Human Resources Committee will hold PC interviews on January 31 at 5:30 p.m.
- The Lands, Housing and Community Development Committee met and topics covered included tourism, expansion of the food bank, and revising the draft accessory apartment ordinance
- Mr. Mitch Faulk has appealed. Commissioners may not discuss the case as it may come back before the PC
- Thank you to the staff for pitching in and helping with tonight's meeting
- Thank you, Mr. Hickok, for service to the commission

XIII. COMMITTEE REPORTS - None

XIV. LIAISON REPORTS – Waahlaal Giidaak reported the City Manager presented the Cruise Ship visitation trends report

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

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

Mr. Pedersen and Mr. Hickok asked for information regarding Mr. Walsh's comments
Ms. Maclean and Ms. Layne explained the PAD case and the process it has been through.

XVII. EXECUTIVE SESSION - None

XVIII. ADJOURNMENT – 8:50 p.m.