

APPROVED MINUTES

Agenda

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Erik Pedersen, Acting Chair

July 23, 2024

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

Erik Pedersen, Acting 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 p.m.

Commissioners present: Commissioners present in Chambers – Erik Pedersen, Acting Chair; Travis Arndt, Clerk; Adam Brown; David Epstein, Jessalynn Rintala,

Commissioners present via video conferencing – Lacey Derr

Commissioners absent: Mandy Cole, Chair; Nina Keller; Matthew Bell, Assistant Clerk

Staff present: Jill Lawhorne, CDD Director; Irene Gallion, Senior Planner; Daniele Gaucher, CDD Administrative Officer, Nicolette Chappell, CDD Administrative Coordinator; Kevin Allen, Meeting Clerk

Staff present via video conferencing – Sherri Layne, Attorney III; David Peterson, Planner II; Ilsa Lund, Planner I

Assembly members: Paul Kelly

III. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA - No changes or comments

IV. APPROVAL OF MINUTES

A. June 25, 2024 Draft Minutes, Regular Planning Commission

MOTION: *by Mr. Epstein to approve the June 25, 2024 Planning Commission Regular Meeting minutes.*

The motion passed with no objection.

V. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

VII. ITEMS FOR RECONSIDERATION - None

VIII. CONSENT AGENDA

USE2024 0004: A Conditional Use Permit to continue an existing gravel mining operation in the Lemon Creek streambed.

Applicant: SECON

Location: Anka Street

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and approve Conditional Use Permit USE2024 0004 with the requested conditions.

STV2024 0001: Applicant requests a Public Way Vacation for the cul-de-sac portion at the South end of Hendrickson Road.

Applicant: Francis & Sarah Rue

Location: Hendrickson Road

Staff Recommendation

Staff recommends the Planning Commission approve the vacation of the cul-de-sac portion of Hendrickson Rd with the following conditions:

1. A utility easement accommodating CBJ access to Sherry Lot 1 (Rue Property) utilities must be shown on the final plat.
2. The owner of Sherry Lot 1 will decommission redundant services before final plat approval.

Acting Chair Pedersen asked the Commission if there were any objections and, hearing none, the items on the consent addenda were approved.

IX. UNFINISHED BUSINESS -None

X. REGULAR AGENDA

PWP2024 0003: Parking Waiver Permit
Applicant: Hali Duran
Location: 120 W. North Street

Staff Recommendation

Staff recommends the Planning Commission adopt Director's analysis and findings and APPROVE the requested Parking Waiver.

Hali Duran, applicant, requested an additional parking space for an accessory apartment and shared that she wants to provide additional housing in unit above.

Ms. Rintala asked if the applicant is familiar with the parking situation in the neighborhood, and if so to give a description of that.

Ms. Duran responded that she is familiar. She explained it is a tight community and a handful of people in the community do not have parking other than street parking and she does not have a way to accommodate parking on her actual property.

Acting Chair Pedersen asked for public comment.

Karen Blejwas, 820 Dixon St, said she is shocked that the recommendation is to approve with a conclusion there will be no impact to residents. She explained the parking has been good the last couple years due to several vacant dwellings, but before that it was a big issue and will become one again once the empty houses are filled. She noted there is a steep hill and in the wintertime that will cause cars to slide into each other if they are parked tightly.

Commissioner Arndt asked Ms. Blejwas if she calls JPD when cars are parked illegally.

Ms. Blejwas answered that she does not call JPD and sometimes parks illegally herself when there is no parking anywhere around.

Acting Chair Pedersen inquired on what makes particular spots illegal for parking.

Ms. Blejwas responded that there is a no parking sign, but not sure why it is marked no parking.

Julie Willoughby, 820 Dixon St, share a photo showing two cars parked illegally. She said she was told the purpose of the no parking is EMS access. She noted the construction vehicles for the renovation sometimes get a parking permit to block out three spots in the neighborhood, which results in them having to park up on West 7th, down the hill, or sometimes over by the Governor's

Mansion. She stated the neighborhood is full of long-term residents and not having acceptable parking to their houses does not allow them to age in place.

Mr. Epstein asked if there was a way for the applicant to provide a parking spot at the property.

Ms. Willoughby answered not that she can think of. She added it is an unsafe corner.

Ms. Willoughby explained the primary house was occupied for many years and the neighborhood accommodated them by letting them use the spot in front of her house. She said it was unrealistic to add additional parking and say that it is a walkable area and people will not have cars. She added it was not a good decision for the neighborhood.

Roman Motyka (via Zoom), 835 Dixon Street, expressed he is 82 years old and echoed the concerns of previous testimony about the lack of parking, including no room, a dangerous corner, needed space for emergency vehicles, and especially no space in the wintertime. He said granting a variance for another person to park there would really tax the neighborhood.

Terry Kramer (via Zoom), 801 Dixon Street, echoed the previous testimony and added that there are only three houses on the street that have off street parking and the rest are left to rely on parking they can scrounge. She said when the AirBnBs are empty it is easy, but when they're not it is hard.

Acting Chair Pedersen called back the applicant to provide any relevant testimony or rebuttal.

Hali Duran, applicant, appreciated the comments from the neighbors. She said she understood the concerns and brings forth a good platform to address some of the parking concerns but does not think it is necessarily the property itself. She added that she does not have the land or capability to provide additional parking for additional occupancy.

Mr. Arndt asked if the applicant will be living in the apartment when it is done.

Ms. Duran said she hopes to move back in when it is done.

Acting Chair Pedersen asked if there were any follow up questions and/or discussion for staff.

Mr. Epstein inquired on if voting to deny the waiver would tank the other application.

Ms. Lawhorne communicated that the applicant could apply for a variance, but it is likely that would be denied if the waiver is denied.

Ms. Derr asked how many houses have parking waivers around the property.

Ms. Lawhorne said she did not know off the cuff, but the number of variances for parking in downtown is a high number through the entire downtown area, but not just this neighborhood.

Ms. Rintala asked for clarification on the statements that nonconforming situations may not be aggravated. She voiced that she did not understand how this does not constitute aggravating the non-conforming situation.

Ms. Lawhorne voiced that the rule of thumb is that if you have a nonconforming situation, it leaves the tool still there for parking specifically, but other nonconforming situations do not apply.

Mr. Epstein asked if they know how often tickets are issued to people that park in front of the no parking anytime signs.

Ms. Lawhorne was not certain of that.

MOTION: *by Mr. Arndt moved the approval of PWP2024 003 to accept staff's finding and recommendations for the parking waiver.*

Mr. Arndt expressed that they are pitting parking in the neighborhood versus increasing the housing stock by one more unit. He said increasing stock is good and they need to keep doing it, but asked if it is worth one extra spot where there is a known parking problem. He noted they granted other parking waivers in the area, but they were not on streets that didn't have any parking by them.

Ms. Rintala hesitated to turn down a waiver for a person that had a relationship with someone who was in the neighborhood for a long time and AirBnB's are an increasing issue in the community. She said she did not think stopping the one unit of construction would achieve the goal of providing adequate parking for long term residents.

Ms. Derr shared concerns with granting the parking waiver after hearing from people living there on the parking and said it was giving off the AirBnB vibe.

Mr. Epstein stated his concern was the potential of setting a precedent if they allow or deny the waiver to go through. He said it comes down to what is the greater impact. He added that he sees the issue with the parking, but there is parking available somewhere in the vicinity.

Acting Chair Pedersen shared he believes the parking waiver was set up to give the Commission discretion to look at it and would not set a precedent either way. He asked if the fee in lieu parking was for commercial purposes and would it work for this situation.

Ms. Lawhorne responded it does not apply due to the property being located outside of the town center parking area.

Acting Chair Pedersen suggested a 5-minute at ease.

At ease 7:54-7:59 p.m.

Acting Chair Pedersen called the meeting back to order.

Acting Chair Pedersen inquired on any suggestions to take up the next item if the waiver is not approved.

Ms. Lawhorne answered they could use Commission Arndt's suggestion to have the applicant try to use a joint use to find a parking lot somewhere else that is not being used, but she is not sure how likely that is to happen. She said they could also still take up the use permit and add a condition to the apartment approval that it must meet parking requirements.

Mr. Brown commented they could rent them as rooms individually and would have cars for each person. He understands there is not enough parking, but they want housing downtown and there are ways to get around this even if they say no.

ROLL CALL VOTE:

YEA: Rintala, Epstein, Brown

NO: Arndt, Derr, Pedersen

The motion failed 3-3.

USE2024 0011: Conditional Use Permit for an accessory apartment
Applicant: Hali Duran
Location: 120 W. North Street

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE Conditional Use Permit USE2024 0011 with conditions.

MOTION: *by Mr. Arndt moved to approve USE2024 0011 and accept staff's finding and recommendations, including their conditions, which says prior to the issuance of a building permit the applicant must demonstrate that the parking requirements are met.*

Mr. Arndt stated he does like housing stock, but they need to find a way to make the parking work better. He suggested a parking use agreement with someone within 500 feet.

Acting Chair Pedersen said he wants to approve the parking waiver to facilitate the accessory apartment, but in this situation it is not appropriate.

The motion passed.

XI. OTHER BUSINESS - None

XII. STAFF REPORTS

Ms. Lawhorne reported that they are in the process of the Tyler Technologies permit software system migration, and it is going well, but also difficult and a lot of work. There are also four vacancies in the department and are currently trying to hire for an administrative assistant, a planner I / II flex, a building inspector, and a permit center manager. She noted their phone system is having issues, and suggested email or text.

XIII. COMMITTEE REPORTS

Mr. Arndt suggested pushing off a couple more Title 49 meetings to give the new hire time to get up to speed.

XIV. LIAISON REPORTS

Mr. Kelly expressed the Assembly has not met since the last meeting. He said the Public Works Committee met and voted to do an RFP for a contractor to manage the zero-waste lot.

XV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Attorney Sherri Layne let the Commission know about a couple of public meetings scheduled for the week regarding picking a new city attorney to replace Mr. Palmer.

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

Ms. Derr stated this is the second time Bonnie Brae has come before our additional materials and asked if they have sent anyone out to inspect the permit and their concerns. She noted she has been asked by the public about it.

Ms. Lawhorne answered they have been responsive to the neighbors, and the compliance officer and others have been out there, and the Director of Engineering and Public Works has been in contact with the owners. They filled the public records request with all the documentation.

Acting Chair Pedersen asked for more insight on that. He explained it seems like comments may be outside of the Commission's purview as to what they can approve or control.

Ms. Lawhorne expressed she would take the question and answer it at the next meeting.

XVII. EXECUTIVE SESSION - None

XVIII. ADJOURNMENT

The July 23, 2024 Planning Commission Meeting was adjourned at 8:19 p.m.