

APPROVED MINUTES

Agenda

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Adam Brown, Acting Chair

October 22, 2024

I. LAND ACKNOWLEDGEMENT – Read by Mr. Epstein.

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

Adam Brown, 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 6:03 p.m.

Commissioners present: Commissioners present in Chambers – Adam Brown, Acting Chair; Matthew Bell, Assistant Clerk; Nina Keller; David Epstein

Commissioners present via video conferencing – Mandy Cole, Chair; Lacey Derr; Erik Pedersen, Vice Chair

Commissioners absent: Travis Arndt, Clerk; Jessalynn Rintala

Staff present: Staff present in Chambers- Jill Lawhorne, CDD Director; Sherri Layne, Attorney III; Ilsa Lund, Planner I; Dan Bleidorn, CBJ Lands and Resources Manager
Staff present via video conferencing- Nicolette Chappell, CDD Administrative Coordinator; Jay Larson, Planner II

Assembly members: Christine Woll, Assembly Liaison

- III. **REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA**- None
- IV. **APPROVAL OF MINUTES**- None
- V. **BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION**- by Director Lawhorne
- VI. **PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**- None
- VII. **ITEMS FOR RECONSIDERATION**- None
- VIII. **CONSENT AGENDA**- None
- IX. **UNFINISHED BUSINESS**- None
- X. **REGULAR AGENDA**

AME2024 0003: Proposed rezone of 2.3 acres at the end of Davis Avenue from D10 to D15.
Applicant: Chilkat Vistas LLC
Location: 1925 Davis Avenue

Director's Report

This rezone request would facilitate the addition of eleven (11) units to this lot. The neighboring Alaska Department of Corrections is concerned that increased density would result in development closer to the common lot line, for which mitigation would be challenging due to terrain. While rezone conditions are limited to health and safety, the development will require a new or updated Conditional Use Permit. The lot had been rezoned D15 but was downzoned due to intersection concerns at Davis Avenue and Glacier Highway. Since then, the intersection has been signalized.

Staff Recommendation

Staff recommends the Planning Commission forward a recommendation of APPROVAL to the Assembly.

Michael Heumann explained this piece of land used to be D15 and was downzoned during the development process of the condominiums due to traffic concerns that have since been approved. He expressed they do not have any firm plans on what will go here, but this piece of property could be upzoned and create possibilities to do some development. He stated that on the edge of downtown Anchorage there is a pre-trial facility, so it is possible to have a correctional facility next to very intensive development. Mr. Heumann voiced they have attempted to speak with neighbors and have had a hard time communicating. He noted we desperately need more housing in this town.

Ms. Cole asked if the property was ever D15 or if it was just approved for zoning to D15.

Director Lawhorne responded she did not believe it ever became D15 in the past.

Ms. Cole asked if the improvements were done.

Director Lawhorne answered that the traffic concerns with the intersection were addressed, and that is step one for rezones. The applicant will still have to apply for a permit, and this would still go to CBJ or DOT for comment and review.

MOTION: *by Mr. Epstein to accept staff's findings, analysis, and recommendations for AME2024 0003, and forward a recommendation of approval to the Assembly.*

The motion passed with no objection.

AME2024 0002: Rezone of 39 acres of CBJ land south of Grant Creek on Douglas from D3 to D18.

Applicant: City & Borough of Juneau

Location: North Douglas Highway

Director's Report

The applicant requests to rezone 39 acres of CBJ land south of Grant Creek from D3 to D18. A fraction of these 39 acres was subject to a 2022 Property Acquisition and Disposal (PAD2022 0002) that received a recommendation of approval from the Planning Commission and Assembly Lands Housing and Economic Development Committee.

Staff Recommendation

Staff recommends the Planning Commission forward a recommendation of APPROVAL to the Assembly.

Dan Bleidorn, CBJ Lands and Resources Manager, explained that in 2023, the Assembly retreat gave direction to evaluate city property holdings for areas they could upzone to think about future disposal or development. Lands and Resources staff went through the 2016 Land Management Plan and submitted seven applications to CDD in July. CDD staff held public meetings and got great feedback. Mr. Bleidorn noted the final step in the process will be a public hearing at the Assembly level and the Assembly adopting an ordinance.

Mr. Bleidorn discussed the rezone of 39 acres of CBJ land south of Grant Creek on Douglas from D3 to D18 and projections and development for the area. He noted that if a zone change is successful, there are opportunities to look at and evaluate things like access and alignment, traffic impacts, utility expansion, stormwater drainage, wetlands delineation, and continuing to work with applicants and partners.

Mr. Epstein asked if the clearcut area on the upland side as you come off the bridge and go north on North Douglas Highway is included in any of the parcels.

Mr. Bleidorn responded no.

Mr. Pedersen voiced he was unsure how CBJ was going to obtain access to the larger remainder piece. He asked for clarification on that.

Mr. Bleidorn responded that the images included are preliminary with the proposed acquisition and disposal, and part of that will be negotiated. He said they already noted with the applicant that they would want access to the other properties up there and city code also mandates that, so they would potentially get an access point through that and maybe an additional access point.

Ms. Cole asked if the plan is that the upzone would potentially benefit disposing land to Grant Creek Homes to the kind of partnerships that would build access to the road for CBJ.

Mr. Bleidorn answered that both projects would provide potential access to the city property.

Ms. Keller said the 2016 update said a bench road should be developed before any future development on North Douglas due to the traffic, and the comprehensive plan map has a corridor for the bench road. She inquired how the corridor fell into plans for the property.

Mr. Bleidorn confirmed the bench road on Douglas still remains a priority and if any future development plans along these zoning changes, the bench road will still be a part of that.

Ms. Cole asked if the reason they are considering D18 to D3 is because the surrounding areas are D18 already and that there is a lot of unbuildable space.

Mr. Bleidorn said that is basically correct, and added that when first evaluating the properties, they mainly looked at properties adjacent to match zoning, but each property will have slope above 18%, wetlands, and areas along creek sides within setbacks, or other constraints.

Ms. Keller queried why this is a priority right now to rezone before a comprehensive or transportation plan.

Mr. Bleidorn explained he was given directive by the City Manager and Assembly to evaluate city land holdings for upzoning and future disposal to make progress where they can instead of waiting several years for them to be done.

Mr. Epstein inquired who would govern if the rezone is approved, but a developer does not step forward, and the parcel lays fallow, and the comprehensive update comes up with a different zoning classification.

Mr. Bleidorn stated he is not very familiar with the planning process, but feels that if the plan is adopted, the newest zoning would stand.

Director Lawhorne explained the comp plans sets the tone and goals for the community, and through that plan it does not dictate zoning, but creates future land use designations and maps. She expressed that land use designation is not zoning. She expressed they need housing now.

Ms. Keller asked if the comprehensive plan will be figuring out what the community wants and

needs now and if it will also look into where things should be built. She said if they update the plan, they may figure out something is not what they need or where they need it.

Director Lawhorne expressed the last comprehensive plan update was in 2013, but it has been looked at over the years and the Commission has made amendments to it and updated it and its maps. She added a comprehensive plan should be looking out 20 to 30 years. She believed they are still hitting it at a good time for the community and what they are facing today.

The Commission heard public testimony on the item.

Ms. Keller said she was leaning towards voting no, because even though housing is a big need currently, she is afraid to develop in a panic mode without looking at the bigger picture.

Ms. Cole stated they have struggled with rezones over the last four years over the idea of the second crossing and traffic on Douglas. She said they all want and need the second crossing and it is a priority. She voiced they have to take a targeted approach to development projects in Douglas with those who propose smart and targeted projects. She is in support of the rezone.

Mr. Epstein expressed he is inclined to vote in favor and this proposal conforms with the current comprehensive plan and a future plan will take the needs of the community and housing in account. He added there are significant hoops and hurdles to jump over and through.

Ms. Derr asked if a rezone does go through, would any potential development proposed go through the multiple steps and come back before the Planning Commission and hear public comment on it.

Director Lawhorne that is right, except that if it is a director's approval for a minor proposal. And major proposals will come before the Planning Commission.

Mr. Pedersen will be voting in favor. He commented that development in that area has not been successful in the past and the zoning does not conform with itself and this will bring it into more harmonious zoning.

MOTION: *by Ms. Cole to accept staff's findings, analysis, and recommendations for AME2024 0002, and forward a recommendation of approval to the Assembly.*

ROLL CALL VOTE:

YEA: Cole, Pedersen, Bell, Brown, Derr, Epstein

NO: Keller

The motion passed 6-1

AME2024 0009: **Rezone of approximately 87 acres of CBJ-owned land north of Grant Creek.**

Applicant: City & Borough of Juneau

Location: North Douglas Highway

Director's Report

The applicant requests to rezone approximately 87 acres of undeveloped land north of Grant Creek from D3 to D15. Rezone is consistent with the adjacent zoning district.

Staff Recommendation

Staff recommends the Planning Commission forward a recommendation of APPROVAL to the Assembly.

Mr. Bleidorn discussed the rezone of 87 acres of undeveloped land north of Grant Creek from D3 to D15. He expressed that if the rezone is successful, there could be opportunity to look at alignment and access, traffic impacts, utility expansion, advances to the highway, storm drainage, and delineate wetlands and permit fill. He added this is a large, attractive property has a long highway, water and utilities close by and potential for future development.

Ms. Cole asked if they have any ideas of right of way or frontage to get it to the highway.

Mr. Bleidorn explained there may be an opportunity to get road frontage to this section, but they would have to cross Grant Creek.

The Commission heard public testimony on the item.

Ms. Keller expressed her main concerns are the bench road corridor and that the comprehensive plan goes through the middle of this property. She is worried the development in the bench road corridor could limit future use.

Mr. Pedersen had similar concerns, but believes they can be flushed out in the future. He said they need to preserve the area for the bench road.

Director Lawhorne stated that when the comprehensive plan was developed, it is uncertain how much topography and actual built environment was taken into account, and when they looked at it, they could not accommodate that future road or make access to it. She said they are aware of those corridors, but they are not so finite.

Ms. Keller asked what CBJ would need to make the bench road a plan.

Director Lawhorne guessed time and money or other infrastructure that has taken precedence.

MOTION: *by Ms. Cole to accept staff's findings, analysis, and recommendations for AME2024 0009, and forward a recommendation of approval to the Assembly.*

ROLL CALL VOTE:

YEA: Cole, Pedersen, Bell, Brown, Epstein, Derr

NO: Keller

The motion passed 6-1.

AME2024 0008: **Proposed rezone for rezone approximately 77 acres of RR to D3 in the vicinity of Fish Creek on North Douglas Highway.**

Applicant: City & Borough of Juneau

Location: North Douglas Highway

Director's Report

This rezone would provide 57 acres with slopes less than 18 percent and no mapped wetlands. Closest sewer is approximately 3,000 feet away. The Alaska Department of Fish and Game has asked that development accommodate Western Toad habitat by providing buffers around seeps and streams.

Staff Recommendation

Staff recommends the Planning Commission forward a recommendation of APPROVAL to the Assembly.

Mr. Pedersen asked how common it is for a to have a D3 zone without public sewer available.

Director Lawhorne answered said it was kind of a mix.

Mr. Bleidorn discussed the proposed rezone for 77 acres of RR to D3 in the area of Fish Creek on North Douglas. He added that the proposal to D3 makes the most sense. He stated that if the zone change is successful, the next steps could include an access and alignment study, traffic investigation, utility expansion planning, a storm drainage plan, delineate wetlands and permit fill, and solicit development partnerships. He expressed the goal he is being directed towards is housing and D3 zoning could allow for future potential for that.

Ms. Cole understood why they want to go to D3, but said it is still a buildable spot. She wondered if there is a danger of disposing to the land putting it to D3 and getting development when it could be a more densely built area. She asked if D3 could be something more dense in the future or if it is what they have envisioned for the parcel.

Mr. Bleidorn responded that at this time D3 is the final spot and there is no timeframe for the CBJ to run a sewer line to this area. He noted that Juneau needs all types of housing.

The Commission heard public testimony on the item.

Mr. Bleidorn added that Fish Creek Park is not in this rezone. He said if they were to run sewer to this property, they would have recommended a higher density zoning. He added that D3 only makes sense because there is not sewer.

Ms. Cole asked if the primary reason the 77 acres was identified is because the slopes are less than 18% on most of it.

Mr. Bleidorn answered this property rezone was determined by the property lines. He added that data from 2006 from the buildable land study identified the lack of wetlands and slope being less than 18%.

Ms. Keller commented that it was mentioned that the Bayview neighborhood is bordering Fish Creek Park. She said the map shows the land adjacent to the park as Parks and Rec land.

Ms. Cole expressed she understands that D3 zoning takes into consideration there is no sewer, but there is nothing in the packet about impacts to Fish Creek Park.

Mr. Bleidorn responded that the City has no plan for development at this time. He expressed there is no point to spending time and money to evaluate the property potential if the rezone fails. He added that Fish Creek protection is the highest part of their list and they will work with all agencies as they do with any development of city property.

Mr. Epstein voiced with the earlier rezone proposals that they were setting the table for what might happen in the future, but with this rezone it is a table he does not want to set. He said he does not think this parcel should be developed across the street from a park.

Ms. Keller commented that CBJ is planning on developing some areas or working with the Corps of Engineers. She suggested considering this property as mitigation for any other CBJ project.

Mr. Pedersen stated he did not know if this parcel is appropriate for D3 at this time.

Director Lawhorne recommended the Commission discuss the distinction with this parcel.

Chair Brown commented that a lot of it has to do with on-site sewer treatment, and that changes the game for rezoning no matter the district.

Ms. Derr stated was not comfortable approving on-site sewage right above Fish Creek.

Mr. Pedersen expressed he is not opposed to development of this parcel and it could make a wonderful subdivision here without the smaller sized lots.

Mr. Bell thanked staff for providing in-depth points to evaluate, but he has reservations with this being D3. He noted he would like to see this flushed out more.

MOTION: *by Ms. Cole to accept staff's findings, analysis, and recommendations for AME2024 0008, and forward a recommendation of approval to the Assembly.*

ROLL CALL VOTE:

YEA: Cole, Brown

NO: Epstein, Pedersen, Derr, Keller, Bell

The motion failed 2-5

AME2024 0004: **Proposed rezone of 66 acres uphill (southwest) of 6101 through 6615 North Douglas Highway from RR to D3.**
Applicant: City & Borough of Juneau
Location: North Douglas Highway

Director's Report

This proposed rezone is consistent with development to the west and north. Bonnie Brae and Blacktail Subdivisions to the west are zoned D3. Lots to the north along North Douglas Highway are also zoned D3. Development will be challenging due to mapped wetlands and slopes in excess of 18 percent.

Staff Recommendation

Staff recommends the Planning Commission forward a recommendation of APPROVAL to the Assembly.

Mr. Bleidorn discussed the proposed rezone of 66 acres uphill of 6101 through 6615 N Douglas Highway from RR to D3. He stated that if the zone change is successful next steps could include access and alignment study, traffic investigation, utility expansion planning, a storm drainage plan, delineation of wetlands and permit fill, and soliciting development partnerships.

Mr. Pedersen asked the applicant to talk about the access and if Lands & Resources had any general plans for this parcel.

Mr. Bleidorn responded that the two lots along the highway are very steep and one is Parks managed with a drainage through it. He said it could make sense to utilize that to run utilities through or have a secondary emergency access, but there are no finite plans.

Ms. Derr inquired if there are similar asbestos concerns to Bonnie Brae.

Mr. Bleidorn answered that a lot of the asbestos concerns have been secondary or tertiary and the city property was not involved in any asbestos concerns.

The Commission heard public testimony on the item.

Mr. Bleidorn added that when they first evaluated this property and determined that D3 was the appropriate zoning, he struggled for a while with upzoning a property to D3 that has access to city sewer, but in the end they chose D3 because it made sense to be cohesive with the area.

Ms. Cole asked if they include a recommendation and add that it for Assembly to consider a further upzone.

Ms. Layne responded yes, they can add that to the recommendation.

Director Lawhorne explained that when the Commission approved the subdivision of Blacktail above Bonnie Brae, the developer was required to plat a public right of way.

Ms. Keller had the same concerns for this property as the Grant Creek area property.

MOTION: *by Ms. Cole to accept staff's findings, analysis, and recommendations for AME2024 0004, and forward a recommendation of approval to the Assembly.*

ROLL CALL VOTE:

YEA: Cole, Pedersen, Bell, Epstein, Brown, Derr

NO: Keller

The motion passed 6-1.

AME2024 0005: **Proposed rezone of 36 acres uphill (north) of 11900 through 12170
Glaciers Highway from D3 to D15.**
Applicant: City & Borough of Juneau
Location: 11860 Glacier Highway

Director's Report

This proposed rezone is uphill from the Auke Bay community core. Staff recommends reducing the applicant's scope to eliminate incompatible Comprehensive Plan land use designations, resulting in a total of approximately 29.5 acres for rezone. Mapped wetlands cover most of the proposed rezone, which will increase development costs.

Staff Recommendation

Staff recommends the Planning Commission reduce the scope of the rezone and forward a recommendation of APPROVAL to the Assembly.

Mr. Bleidorn discussed the proposed rezone of 36 acres uphill of 11900 through 12170 Glacier Highway from D3 to D15. He stated that if a zone change is successful, one of the first things the City will do is evaluate the trailhead access, and then an access and alignment study, make trailhead improvements and design, traffic investigation, utility expansion planning, storm water and drainage plan, delineate wetlands and permit fill, and soliciting development partnership. He added that wetlands need to be mapped more significantly because there are high quality wetlands in here that need to be preserved.

The Commission received written testimony on the item.

Ms. Cole asked if the applicant had any comments on the 30 acre versus the 35 acre concepts.

Mr. Bleidorn explained that decision at the CDD level was based on land use designations in the comp plan, so he does not see any major concerns with that and the primary objective will be to avoid high quality wetlands and develop in areas that are developable at less expense.

MOTION: *by Mr. Pedersen to accept staff's findings, analysis, and recommendations, and approve AME2024 0005.*

The motion passed with no objection.

AME2024 0006: **CBJ property Rezone request from RR to D3.**
Applicant: Dan Bleidorn, City & Borough of Juneau
Location: 15700 Auke Rec Bypass Road

Director's Report

The applicant requests a rezone of approximately 33 acres uphill (north) of 15700 Glacier Highway from RR to D3 (in the Auke Bay area).

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and forward a recommendation of APPROVAL to the Assembly.

Mr. Bleidorn discussed the CBJ property rezone request from RR to D3. He said the property was labeled retain/dispose, and the retain portion is the park land on the uphill side of the highway. If the rezone is successful, they will further consider the land disposal and water line easement, investigate traffic, planning of utility expansion, storm drainage plan, delineate wetlands and permit fill, and solicit development partnerships.

The Commission heard public testimony on the item.

Mr. Bleidorn added that drainage will be something considered here when they think about storm water drainage.

Ms. Cole was in support of the rezone because it appears to be consistent with the Land Use Code and a D3 zoning.

Mr. Pedersen was also in support. He has wondered why this property has not been developed before and said it may be appropriate to have a buffer zone to separate the old from the new.

MOTION: *by Ms. Keller to accept staff's findings, analysis, and recommendations for AME2024 0006, and forward a recommendation of approval to the Assembly.*

The motion passed with no objection.

AME2024 0007: **Rezone request of a portion of Parcel No. 4B2201010102 from D10SF to D10.**
Applicant: Dan Bleidorn, City & Borough of Juneau
Location: 0 Karl Reishus Boulevard

Director's Report

Applicant requests a rezone for approximately six acres at the end of Karl Reishus Boulevard from 10SF to D10.

Staff Recommendation

Staff recommends the Planning Commission forward a recommendation of APPROVAL to the Assembly.

Mr. Bleidorn discussed the rezone request of 6 acres at the end of Karl Reishus Blvd from 10SF to D10 and the land management plan. He voiced this has a unique designation of strictly disposed. He stated that if the zone change is successful, they will start the access and alignment study, traffic investigation, utility expansion planning, a storm drainage plan, wetlands delineation and what permitting would need to be done for fill, and solicit development partnerships.

Mr. Pedersen said his understanding is that D10SF allows for smaller lots with lower setback requirements and no multifamily or duplexes. He asked if the proposed use of this property trending toward duplex and multifamily.

Mr. Bleidorn responded there has been no planning on what type of units would go here yet.

The Commission heard public testimony on the item.

Mr. Bleidorn expressed that the number of units that have been permitted under phase one is the maximum amount allowable given the need for a secondary access, so for any development to happen, they will need another access route that goes to another street to connect.

Ms. Cole supported the recommendation because it does not make sense for 6 acres D10 to be special or carved out, but the original dream was a walkable neighborhood, which is still wanted.

Mr. Bell spoke in support of the item.

Ms. Keller added it does not make sense to have a sliver of land as a D10SF on its own.

MOTION: *by Ms. Cole to accept staff's findings, analysis, and recommendations for AME2024 0007, and forward a recommendation of approval to the Assembly.*

The motion passed with no objection.

XI. OTHER BUSINESS- None

XII. STAFF REPORTS

Director Lawhorne said the Comp Plan RFP was issued this past Saturday and is out for 20 or 21 days. She said CBJ participated in the federal grant program and they are working closely with Engineering, Public Works, Lands Division, and others. She expressed they will be looking at the three properties they own on Douglas, and access and infrastructure, and how they can work together to develop those properties. She stated that they applied for a pro-housing grant and there is a Title 49 Rewrite Committee Meeting next week. Director Lawhorne expressed the nonconforming situation reviews are spiking again, which makes her think people are trying to sell properties. She discussed job positions that are open. She said it might be of interest of the commissioners to look at the story map that GIS staff put together regarding private and public lands.

XIII. COMMITTEE REPORTS

Ms. Cole stated there is a Title 49 Rewrite Committee Meeting on Monday.

XIV. LIAISON REPORTS

Christine Woll stated she is starting her second term on the Assembly. She voiced that yesterday was their reorganization meeting and they welcomed two new Assembly members. She said the main focus of the meetings has been flood related. She noted that the rezone that was sent to them last night did pass.

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

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

Ms. Keller shared she received a question from Assembly Member Kelly asking about the status of the roundabout and if they have heard any follow-up. She said she did not know the answer.

Director Lawhorne expressed that the Assembly approved the roundabout and the planner for that is out of the office right now, so she is not sure if they heard from DOT or not on that.

Mr. Pedersen thanked Commissioner Brown for chairing the meeting and did a wonderful job.

Ms. Cole agreed with Mr. Pedersen.

Mr. Epstein said he would not be there for the meeting on November 12th.

XVII. EXECUTIVE SESSION - None

XVIII. SUPPLEMENTAL MATERIALS

Additional Materials

XIX. ADJOURNMENT

The meeting was adjourned at 9:33 p.m.