

MINUTES

**PLANNING COMMISSION**  
CITY AND BOROUGH OF JUNEAU  
Maria Gladziszewski, Chair

REGULAR MEETING  
June 28, 2011

**I. CALLED TO ORDER**

Chair Gladziszewski 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 7:00 p.m.

Commissioners present: Marsha Bennett, Dennis Watson, Nicole Grewe, Benjamin Haight, Frank Rue (via teleconference), Dan Miller, Maria Gladziszewski

Commissioners absent: Nathan Bishop, Michael Satre

A quorum was present.

Staff present: Dale Pernula, CDD Director; Greg Chaney, Eric Feldt, Beth McKibben, CDD Planners

**II. APPROVAL OF MINUTES - None**

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

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

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

**VI. CONSENT AGENDA - None**

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

**VIII. UNFINISHED BUSINESS - None**

**IX. REGULAR AGENDA**

Chair Gladziszewski announced that Conditional Use permit (CUP), USE2011 0011, application for a dirt bike track and training facility was withdrawn.

**AME2011 0004**

Expansion of the Parking District – 1 overlay boundary.

Applicant: CBJ

Location: Downtown (Willoughby, Dixon, Capital Complex, SOB, Whittier)

### Staff report

Mr. Feldt said the Parking District 1 (PD-1) and 2 (PD-2) are overlay boundaries in downtown Juneau. PD-1 offers the greatest reduction to off-street parking and loading regulation at 60% for new or expanded buildings and 100% for renovation of existing buildings. The PD-2 overlay boundary offers less of a reduction at 30%. The existing land uses include retail with a current parking requirement of one space per 300 square feet. Under the PD-1 parking requirement, it offers a 60% reduction for new or expanded buildings of one space per 750 square feet. Therefore, if buildings were not revised on the exterior the parking requirement would be waived, which provides large savings to developers. This also offers several benefits to the neighborhood, such as encouraging the re-use of historic and non-historic buildings, and it would eliminate or minimize the opportunity for a developer to demolish important downtown buildings to install parking. In addition, this would reduce the creation or expansion of large surface parking lots, which in the downtown area would be an under utilization of high-value land. Further, this could facilitate the creation of compact buildings and space in downtown to create greater pedestrian movement with buildings being closer together, including mixed uses within buildings which promotes use of existing parking facilities. There are two parking garages in downtown open to the general public: the Marine View Parking Center and Downtown Transportation Center (DTC). The latter contains a bus station, which provides a mass transit system throughout downtown and other areas of the borough.

He referred to Scenario 1 (attachment A), stating that the yellow area signifies the PD-1 overlay, and the orange is the PD-2 area. He referred to a 2008 CBJ Comprehensive Plan (Comp Plan) map (attachment E), stating that the Mixed-Use (MU) designation is shown in the red area, which is similar to the Zoning District Maps, and the yellow area is designated as MU as well. MU permits have varied uses in individual buildings or within different buildings on the same lot to encourage compact development, increased walk ability in the area, and it recognizes downtown is a core between residential and commercial industry. This provides the most appropriate and best use of high-value land.

He connected two zoning maps of downtown to overlay in attachment F, which is shown in two parts. Currently, a draft Willoughby District Land Use Plan (WDLUP) recommends guidelines to encourage MU development, minimization of new surface parking lots, and the creation of new parking garages, which mirrors many recommendations in the Comp Plan and zoning district MU designation for the Willoughby area. The draft WDLUP was created with an assumption that the PD-1 would be expanded westward towards Gold Creek, along Egan, and north of West Willoughby Avenue. If the PC desires to recommend in favor of expanding the parking district to the full boundaries of the plan, the assumptions based in the WDLUP would be correct, and this would facilitate certain types of growth the plan calls for.

The State Library Archive Museum (SLAM) project is in the conceptual phase, which would remove the existing museum building for a new three-story building over 100,000 square feet. Some of the new SLAM uses include an auditorium, office, library, and museum. The SLAM would require over 200 parking spaces either in a new parking garage that would be rather costly, or a new surface parking lot that the draft WDLUP strongly discourages because it would create an uninviting dead space to pedestrians. Under PD-1, the 200-space requirement would be drastically reduced, and take up much less land dedicated to parking. Right now, the area from Willoughby to Egan consists of many surface parking lots that are uninviting to pedestrians. These parking areas are dead zones that do not add to the pedestrian feel, as compared to what the downtown commercial core. Chair Gladziszewski asked how many parking spaces would be

required in the PD-1. Mr. Feldt said about 80 or less, but the SLAM project is still in the conceptual phase.

Staff created three different expansion areas labeled Scenarios 1 – 3 under attachments A, B, and C, and stated that:

- Scenario 1 overlays primarily public, state, and city land, which encompasses the State Capitol complex, the City and State Museums, and various state offices. These uses would not react to the market industry as quickly as a private landowner might if they based their investment goals on what the industry calls for. The State Capitol complex is recommended in the Comp Plan to be an area of significant growth in downtown, and providing parking discounts for this area would ease construction burden and allow the expansion of growth to take place much easier. Therefore, staff indicated that this area should have a low to medium benefit in the parking district, as many state workers already have parking spaces. Even though they might not be specifically designated with names, but their employer is required to provide them spaces. Providing one parking space per employee is a much higher ratio than having one space per 300 square feet of building.
- Scenario 2 encompasses Scenario 1 and the land west towards Gold Creek. This captures Alaskan & Proud, and all the retail and offices in the general area, including the apartment complex along Gold Creek. Since this includes additional privately owned land, the market forces would tend to have an impact as to what type of uses should be provided in those buildings, which would determine how quickly such uses might turn over. Staff indicates that doing so would provide a high reaction of market forces and benefits from being in the PD-1 overlay.
- Scenario 3 is nearly identical to the draft WDLUP. Staff came up with this scenario because ending at Willoughby as shown in Scenario 2 would create an “on the other side of the tracks” feeling. If so, on one side the property owners would have many development discounts, while the other side would not, and development over decades would reflect this outcome. This area could have a high-benefit parking discount, and much of the land is privately owned that would react to market forces.

The public notice provided for this proposal was mailed only to property owners surrounding Scenario 1, which was an earlier recommendation by staff. Therefore, property owners under Scenarios 2 and 3 were not notified, and staff would provide notice to them as well if the PC feels that either of those might be the preferred choice.

Mr. Miller said he is not willing to make a recommendation solely on Scenario 1 without possibly hearing from the public on Scenarios 2 and 3. Mr. Pernula said the PC is reviewing Scenario 1 tonight, which they could provide a recommendation to the Assembly on. Otherwise, another option is if the PC also feels favorable for either Scenario 2 or 3, or both, staff could notify those property owners and schedule a separate hearing on them, and the PC could forward the entire package containing all three scenarios to the Assembly at a future date.

Mr. Feldt continued with the report, stating that in reviewing the benefits to the property owners, staff is recommending Scenario 1 as the chosen area for setting the parking district boundaries. However, should Scenario 2 and/or 3 be preferred over 1, staff would provide public notice to those property owners for a future PC hearing.

Mr. Rue said staff stated that the existing parking garages would take care of the parking requirements, but the draft WDLUP recommends new parking garages in the subject area. Mr. Feldt said the DTC was recommended to be constructed because current parking demand warranted doing so. The draft WDLUP calls for several hundred new residences, offices and other forms of commercial uses, and parking over the next 20 to 25 years. Therefore, the existing DTC does capture a lot of current parking demand, but in the next 20 to 25 years if construction and development in the Willoughby District increases to a certain capacity, additional parking garages are recommended to capture increased parking demand.

Chair Gladyszewski asked how they intend to accommodate and pay for new parking garages in the future if they reduce parking requirements. Mr. Pernula said he views this proposal in a different light in terms of how many spaces would be required with various buildings. What this proposal entails is an expansion of the Central Business District (CBD) where a majority of the buildings have full lot coverage, so people are able to walk to and from them within a very short distance. If they were to require numerous off-street parking spaces on each individual lot, they would end up with many small parking lots with businesses spread out in the area. Instead, with a dense CBD with regional parking lots that serve several blocks, it is much easier for people to locate parking spaces, conduct their business in several different buildings and move on. This actually reduces the parking demand. For example, if Quik Stop had the demand for 10 parking spaces, which was demonstrated over the years for this one business, and there were eight different businesses clustered together where people occasionally patronize them, the actual parking demand created by each of them would be reduced. This is part of the benefit of having a very intense downtown area; it reduces the parking demand due the mixture of uses. There should be a desire to create as much full-lot coverage by the buildings served with a couple large parking garages, rather than individual parking lots on each parcel. This also promotes the use of public transit because the buses would travel to one intense destination rather than an individual driver having to drive between each of those uses. These are real reasons to reduce the parking in a CBD, as this is an expansion of the existing downtown core.

Mr. Rue said the state and the Alaska Mental Health Trust Authority (the Trust) previously discussed the possibility of installing new parking garages in the Willoughby District area to deal with high-density development. He assumes that would eventually have to happen, which is great and he does not have a problem with doing so, but he wonders why the Trust property across Egan Drive was not included in this proposal. Mr. Feldt said a large building was being proposed to house state offices on the Trust site, which did not move forward to construction, but such a use would have taken advantage of the reduced parking requirement. He does not believe the CBJ Community Development Department (CDD) staff heard a whole lot of demand to extend the Willoughby District parking to the former Subport area, but staff could discuss this further with the PC if they wish. He added that is a high-value and large area in downtown, which could potentially facilitate various uses in a MU zoning district. Mr. Watson said he asked a similar question at a Public Works & Facilities Committee (PWFC) last week when Heather Marlow, CBJ Lands and Resources Manager, provided a presentation on this proposal. In addition, Ms. Marlow said they were in contact with the Trust, and at the present time the PWFC believes that the Egan to Willoughby area was where the focus for the parking relaxation would be best served. He encourages the PC to read those PWFC minutes provided at the last PC meeting, which contains additional information on this proposal as well. Mr. Pernula said the Parking District Maps along the waterfront are primarily in PD-2 for a 30% reduction in the parking requirement, not 60% as it would be in PD-1. He believes they need to have some sort of basis for the amount of parking they would require on the waterfront, as opposed to more

intense areas of downtown. Furthermore, this would include that this area should be at the PD-1 or PD-2 standard, which is an aspect staff would have to review. Mr. Rue said he does not believe the PC has to resolve this issue tonight, although the former Subport area could be integrated into the Willoughby District parking area. Mr. Feldt offered to explore that option regarding the pros and cons if they were to do so, and report back to the PC. Ms. Bennett asked if the proposal for a new office building by the Trust is “off the table.” Chair Gladziszewski said this topic could be discussed at the end of the PC meeting.

Public testimony - None

Commission discussion

Chair Gladziszewski said the boundaries on the maps vary among the Willoughby District Boundary, Zoning District, and Comp Plan (attachments D, E, and F), and expressed the desire that they be more similar. While staff is reviewing Scenarios 1 and 2, she encourages them to take these map boundary similarities into consideration before the PC reviews them again. She said one that stood out is in the upper left area, and there might be other areas as well. Mr. Feldt said it appears that the maps of the parking district and Comp Plan boundaries do not follow the route that the zoning district does. The zoning district map boundaries appears to follow rights-of-way and property lines, which would be a better boundary course for the Willoughby District Boundary map to follow as well.

Staff recommendation: That the PC adopt the Director's analysis and findings and recommend approval to the CBJ Assembly to extend the existing PD-1 parking district as shown under Scenario 3 (Attachment C). As stated under ‘Findings’, if Scenarios 2 or 3 are preferred, staff will reschedule this proposal to a later meeting to expand the public noticing to additional property owners.

Commission action

Mr. Miller said he has a problem with the PC taking action solely on Scenario 1 tonight, and he requests that staff provide Scenarios 2 and 3 for the PC to review at a subsequent PC meeting.

Chair Gladziszewski requests staff to provide a re-review of the Scenario 3 map boundaries (attachments D, E, and F) in terms of their idiosyncrasies to be able to properly explain them to the property owners at a later date.

***MOTION:*** *By Mr. Watson, that the PC adopts the Director's analysis and findings and recommends approval to the CBJ Assembly to extend the existing PD-1 parking district as shown under Scenario 3 (attachment C), AME2011 0004, and for staff to explore the idiosyncrasies found among the map boundaries (attachments D, E, and F) to be reviewed by the PC at a subsequent meeting.*

Chair Gladziszewski said Mr. Watson might consider stating in the motion that the PC believes Scenario 3 seems to be a good idea, but they have not heard from the public because the affected property owners have to be notified, and the PC cannot select Scenario 3 until this has been done. She requests that Mr. Watson contemplate withdrawing this motion, and then provide a new motion to continue AME2011 0004 until such public notice is provided.

***MOTION WITHDRAWN:*** *By Mr. Watson.*

**MOTION TO CONTINUE:** *By Mr. Watson, that the PC continues AME2011 0004 to extend the Parking District-1 overlay boundary to a subsequent PC meeting until staff provides notice to affected property owners per Scenario 3.*

Mr. Watson said he feels Scenario 3 is the best plan because of his advantage over the review process when the PWFC was provided more information to justify this option.

There being no objection, it was so ordered and AME2011 0004 was continued to a subsequent PC meeting.

**USE2011 0009**

Add four mobile home spaces to Creekside Park for a 95-space mobile home park; close existing road from Belardi Drive to internal street and extend internal street to Alaway Ave.

Applicant: Coogan General LLC

Location: Glacier Highway (Lemon Creek area across from Davis)

Staff report

Ms. McKibben said the CUP request is to expand and modify the Creekside Mobile Home Park to add four mobile home spaces, and roadway changes. Currently, the mobile home park is made up of 91 spaces. There is a long permitting history with multiple applications for expansions, denials, reconsiderations, appeals, and various aspects. In 1977, an expansion was approved specifically addressing playground areas. The last CUP application was completed in 1981. The area is accessed off of Old Glacier Highway onto Bellardi Drive. She referred to an aerial photograph of the site as it exists today. The proposal would close off an internal unnamed street off of Bellardi Drive and extend it to connect with Alaway Avenue. The closed connected area would be converted to two mobile home spaces (68B and 78B). Two more mobile home spaces would be added (71B and 72A) by eliminating undeveloped park space where a basketball court now exists. The site is 14.99 acres zoned D-5. The only staff recommendation is that the roadway be closed and a 5' wide pedestrian pathway be installed to provide internal circulation within the development, which is also provided as a Development Guideline in the Comp Plan. Staff recommends the PC adopt the Director's analysis and findings and allow the development of four mobile home spaces, and roadway changes, subject to the outlined condition. She forgot to mention a comment was provided from Stan Marston to the PC as a Blue Folder item regarding the location of mailboxes in the area. Chair Gladyszewski stated that an email was also provided in the packet regarding the locations of the playgrounds in the area (attachment A). Ms. McKibben stated that the last page of the CUP application lists the proposed improvements to the playground areas. Three playground areas are designated on a plan. One proposed playground area to the south consists of open green space. The one off of Glacier Highway has green space as well, and the other to the west consists of what used to be a basketball court, which would be turned into two mobile home spaces. She said it is not specified as to where the improvements to the playgrounds would take place, but placing a playground adjacent to Old Glacier Highway might pose concerns.

Public testimony

[Applicant not present.]

Mike Tagaban, 6260 Alaway Ave. #28, said he resides adjacent to the subject site. Per the notice, he said the property owners believe the subject site would run through Mountain Meadow Estates owned by Lacano Investments, but after reading through packet he found this is not the

case. He has performed public safety duties for many years and has concerns with the proposed cul-de-sac area being converted to a throughway to Alaway Avenue, which is near a greenbelt area. If the applicant were to do so, people exiting onto Alaway Avenue from the internal unnamed street could pose safety hazards where many children ride their bicycles. He is not against development, but a better plan should be devised in terms of traffic flow to improve the sight distance from the roadway proposed in this area because mobile homes were placed very close to Alaway Avenue, and he is concerned regarding the proposed flow of future traffic. In addition, the roadway is very narrow, which makes emergency and vehicle access very difficult, especially in the winter because of snow removal and build up issues that most private property owners face. He also opposes the proposed playground near the green belt area along the hillside adjacent to Old Glacier Highway.

Lisa Marie Tourtellot, #79 Creekside Park, said she resides at the corner of Bellardi Drive and the internal unnamed street. The applicant is proposing to close the internal street to install two mobile home spaces. She realizes the site plan indicates the road is 40' to 45' wide, but the actual paved area is only 25' wide. She understands there are setback and right-of-way requirements, but in viewing the actual plan of the width of the roadway Ms. McKibben provided, it shows that the roadway would encroach into an existing area.

She understands that the CBJ desires and has the ability to promote affordable housing, but it is very easy to cram in a couple more mobile home spaces into high-density residential areas, which in this case would take away from the quality of living. With this proposal, the neighbors on the proposed mobile home spaces would be very close to her residence. She said the applicant explained that they would install fencing to provide adjacent residents privacy. Privacy is a good, but the installation of fencing would mean that residents would be more sheltered and cut off from neighbors and that would not be a good, especially in this mobile home park. Instead, they should prevent residents and others visiting from the community to freely travel throughout this area. Even though JPD initially stated that they would use Alaway Avenue, they actually use Bellardi Drive instead, and by closing the internal unnamed street the police officers would no longer be able to view this area while driving by. She does not like this because it is important for the police officers to be able to do so for public safety reasons.

She said the applicant is proposing to install a 25' by 45' mobile homes in each of the two spaces near her residence, including the other spaces adjacent to the basketball court, not singlewide mobile homes. This means that these mobile homes would be very close together.

She said an email she provided to the PC mentions drainage issues in this particular area. She explained that currently on a very heavy rain day, the internal unnamed street drainage issues cause large puddles of water to obscure the roadway, which backs up onto Bellardi Drive. Her driveway is crumbling because it is on this corner. She would like the PC to provide a condition requiring the applicant to deal with drainage issues. She explained that the property owner places pavement over existing fill on lots before they install mobile homes, which causes rainwater to runoff onto other surrounding lots and the roadway. In the wintertime the water freezes, which makes it fairly dangerous for people traveling through the area.

She does not have children, but she interacts with them in the neighborhood, and therefore recommends the PC reconsider the corner playground area adjacent to Bellardi Drive and Old Glacier Highway. That particular area is the busiest intersection in the neighborhood, and she requests the PC require fencing to be installed to prevent children from accessing Old Glacier

Highway and other roadways. The mailboxes are located directly across from the playground, and the proposal would re-route traffic very near this playground area, which would not be good. The other triangular-shaped playground area is in a good location because it is not used for anything at this time, and it would allow people to keep a close eye on their children.

She has many friends in the fire department, and assures the PC that they are able to maneuver fire trucks in the area. She assumes however that it might force more traffic from the internal unnamed street that has speed bumps onto Alaway Avenue because no one wants to go over them, especially drivers of low riding vehicles. She agrees with Mr. Tagaban that the area where the applicant is intending to provide future access onto Alaway Avenue is where the sight distance would be minimal for drivers exiting onto Alaway Avenue. Many children play there because they go across Alaway Avenue to access creek areas where ponds were dredged. In addition, when the applicant adds more housing in Mountain Meadow Estates it would increase traffic, and she is concerned about safety of the children on the roadways.

Mr. Watson asked if a fence was installed along Creekside Park adjacent to the roadway. Ms. Tourtellot said yes, and drainages were also installed off of Alaway, which includes the fence that separates Mountain Meadows Estate and Creekside Park.

Mr. Pernula said one of the recommendations was to install a 5' pathway through the area. He explained that if this is not done, once the internal unnamed street is closed off the area would be blocked from pedestrian access with no pathway. Ms. Tourtellot said when Ms. McKibben met with her, she spoke of this stating that it is a good idea. However, what she suspects would happen is the people who reside along that pathway would install fencing adjacent to it because they would not want trash blowing in their yards, etc., but doing so would turn that area into an unsafe and unwelcoming corridor for people to be in. She explained that most every homeowner installs fences along their property lines as soon as another residence gets too close to them. Her residence is probably one of the few that does not have a fence, except on one side.

Public testimony was closed.

#### Commission discussion

Mr. Rue asked if the PC is able to add conditions regarding the playgrounds. Ms. McKibben stated that a permit issued in 1977 required 16,000 square feet of "meaningful playground" area per the code at the time. The current code requires 200 square feet of playground, but it does not specify that playgrounds have to be developed. Therefore, that previous permit allowed them to have less than the required area of playground per mobile home spaces that they were permitted, but they never actually constructed all the mobile home spaces proposed. The 1981 CUP was when they added more mobile home spaces, but that permit did not require any new additional playground area, and it stated that all the conditions were met, which leads one to believe all the meaningfulness to the playgrounds that were required in the 1977 permit were installed. The residents informed her that a basketball court was installed in the eastern area she mentioned earlier. However, the applicant no longer wants to retain the basketball court due to insurance purposes, which is why they listed the proposed playground improvement items for the other playground areas. The current code does not specify that there has to be improvements to the playgrounds, but it does state that there has to be 200 square feet of playground area per mobile home space. Chair Gladziszewski said the applicant is proposing to install mobile home spaces in the basketball court area, so what additional square footage would be required of playground area due to this. Ms. McKibben said for the 95 mobile home spaces the applicant is seeking,



they would have to provide 19,000 square feet of park space. The site plan in the staff report shows about 19,336 square feet of total designated playground area, with the triangular-shaped area consisting of 11,166 square feet, the other playground area at the corner of Bellardi Drive and the Old Glacier Highway is 3,834 square feet, and the basketball court area is 4,336 square feet.

Ms. Grewe said the two access points on Alaway Avenue are very close to each other, and she asked if staff is recommending that the PC apply conditions in relation to this. Ms. McKibben said this topic was not raised during the pre-application meeting, and she does not know the distance between the access points. Mr. Pernula stated that when roads to cul-de-sacs extend beyond a certain length, two points are required for fire apparatus to gain access to the various dwellings, which is the reason the applicant is requesting to extend the internal unnamed street through to Alaway Avenue. Mr. Miller confirmed that if the PC approves this CUP, the applicant would still be required to meet the CBJ Engineering code in order to provide the required sight distance to extend the internal unnamed street to Alaway Avenue. Mr. Chaney said these are private roads, not city streets, but the applicant would still have to comply with sight distance standards.

Mr. Miller asked staff to expound on the potential mailbox issues mentioned in the comment provided by Mr. Marston in the Blue Folder. Ms. McKibben said the mailboxes are located to the west of the playground area near the corner of Bellardi Avenue and Old Glacier Highway.

Mr. Watson confirmed that the applicant meets the criteria to provide for playground areas, but the PC is unable to designate where they should be located on-site, or possibly require fencing to be installed. Ms. McKibben said if the PC feels that without the fencing the playground area locations might pose health and safety concerns, the PC has the ability to recommend that they be moved, fenced, lighted, etc. Ms. Grewe commented that criteria 4 relates to “Will the proposed development materially endanger the public health or safety.”

Staff recommendation: that the PC adopt the Director’s analysis and findings and grant the requested CUP. The permit would allow the development of 4 new mobile home spaces, the closure of the street connecting Bellardi Drive to the internal street within the mobile home park, and the connection of that same internal street through to Alaway Avenue. The approval is subject to the following condition:

1. Prior to issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any new mobile homes, a 5-foot wide gravel or paved pedestrian/bicycle pathway shall be provided adjacent to the two new mobile home spaces where the connecting road will be closed.

Commission action

***MOTION:*** *By Miller, that the PC adopts the Director’s analysis and findings and grants the requested CUP, USE2011 0009. The permit allows the development of 4 new mobile home spaces, the closure of the street connecting Bellardi Drive to the internal street within the mobile home park, and the connection of that same internal street through to Alaway Avenue, subject to the following conditions, as revised by the PC:*

1. *Prior to issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any new mobile homes, a 5-foot wide gravel or paved pedestrian/bicycle pathway shall be provided adjacent to the two new mobile home spaces where the connecting road will be closed.*

2. *Require fencing of the 3,834 square feet of the proposed playground area at the corner of Bellardi Drive and Old Glacier Highway.*
3. *The meaningful playground improvements listed in the CUP application shall be completed prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy.*

Mr. Rue commented that it is tempting to add the fencing requirement to encompass both playground areas, but the one listed in Condition 2 is probably most in need.

**FRIENDLY AMENDMENT:** *By Mr. Watson, that the PC adds the following condition:*

4. *The drainage issues shall be resolved satisfactorily.*

Mr. Miller said he has friends residing in this area that experience drainage issues. The area should have initially been built about 1' to 1.5' higher, but he does not know if it is possible to fix this now. He said the PC could request the applicant to do what they are able to not make drainage issues worse in terms of this new project, but he does not believe they could require them to solve old drainage issues. Correcting this drainage issue would be a huge job because it is prevalent throughout the entire neighborhood.

**FRIENDLY AMENDMENT REVISED:** *By Chair Gladziszewski, that the PC adds the following revised condition by Mr. Watson to state:*

4. *The proposed changes in USE2011 0009 shall not make the existing drainage issue worse.*

Mr. Watson and Mr. Miller accepted Chair Gladziszewski's revised friendly amendment to new Condition 4.

Ms. Grewe said it was previously mentioned that drainage issues were caused by the installation of pavement over fill, so maybe it is possible to place fill on the mobile home spaces. She envisions water flowing down the street, and onto adjacent properties with no ability to permeate into the ground due to pavement. Chair Gladziszewski stated that the PC does not have the ability to design the mobile home spaces, but they are able to state that the applicant shall not make the existing drainage issues worse. Mr. Miller said he would revise both friendly amendments to the motion.

**AMENDMENT:** *By Mr. Miller, that the PC revise the friendly amendments to the new condition to state:*

4. *Take care regarding the placement of fill and structures to ensure existing drainage issues are not made worse, and to improve drainage if possible.*

**FRIENDLY AMENDMENT:** *By Mr. Haight, that the PC adds a new condition to state:*

5. *While extending an unnamed internal street to Alaway Avenue, the applicant shall incorporate sight distance comparable to what would be required for a City street to ease potential public health and safety concerns.*

Mr. Miller accepted Mr. Haight's friendly amendment.

There being no objection, it was so ordered and USE2011 0009 was approved as revised by the PC.

**X. BOARD OF ADJUSTMENT - None**

**XI. OTHER BUSINESS - None**

**XII. DIRECTOR'S REPORT**

Federal Emergency Management Agency (FEMA) update

Mr. Pernula said he provided the PC a copy via email of the comments staff forwarded to FEMA. Staff also requested a 30- to 90-day extension by FEMA for more time to provide additional information on the Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMs). Staff contacted Senator Murkowski and Begich's offices, and they forwarded letters to the FEMA Regional Director on behalf of this project. Staff hired a hydrologist as a consultant who performs this type of work to review the methodology used by the consultant FEMA hired. Chair Gladyszewski requested staff to resend this email to her.

Ms. Grewe said she was unable to attend the PC/Committee of the Whole (COW) meeting on June 21, 2011. She asked how many property owners showed up at that COW meeting criticizing the FIRMs, versus the number of flood insurance policyholders in Juneau. Mr. Pernula said he does not recall how many policyholders there were. Part of the reason this review has taken so long, including requesting additional time is because the only method in which to identify individual properties affected by the changes made by FEMA to the FIRMs is to obtain digitized maps of both the current and proposed floodplains in Juneau. Once this is done, staff would have to determine where the differences are, and then locate other maps to identify individual parcels. Staff would review the database to locate all the parcel owners, obtain their addresses, and then provide notices to them. Staff previously sent out +400 notices to potentially affected property owners, and at the COW meeting last week around 25 to 30 people were in attendance, and of those, 15 to 20 people provided public testimony. Many stated that it does not seem right that the flood levels are as high as indicated on the new FIRMS. When staff reviewed the FIRMs, they found errors in certain areas. A property owner adjacent to Gold Creek provided photographs showing where it was indicated on the FIRMs as being in the floodplain, but it clearly is not. Malcolm Menzies also showed elevations near the Mendenhall Mall that is above the Base Flood Elevation (BFE) even though the FIRMs show it as being within the floodplain. This is a discrepancy they would have the hydrologist review, and then ask FEMA representatives to explain such areas. The largest issue is whether the technical data used in the FIS to change the FIRMs is right. The highest expected local tides in 2011 are around 20' to 21', and a storm surge would add a few feet including possible waves on top of that, but for all of this to hit at once would be under extreme 100-year probabilities. Some of the flood levels on the FIRMs are shown as being 27' to 28', which appears to be very high, so he would like those checked. Ms. Grewe said what Mr. Pernula stated is all good and well, but she read the press article regarding the COW meeting. She realizes the Commissioners want additional notice provided to affected property owners, but only a minority of the property owners in the borough are policyholders in the National Flood Insurance Program (NFIP). In addition, only a fraction of them are quite upset, but now staff is spending money hiring a hydrologist to "iron out" this for a very small fraction of property owners in the borough. She said this might not be the case, but she wanted to make this point. Mr. Pernula said at the "first cut" they would be spending about \$6,000 to \$7,000 hiring a hydrologist who is going to conduct a cursory review of the methodology of the FIS and FIRMs to determine whether there are some problems. If the hydrologist identifies issues, he might expand the contract to allow the

hydrologist to review certain details. This is nothing compared to the cumulative added cost of flood insurance for all the affected property owners, and he stressed that he does not believe they should under-designate properties where property owners would have to purchase flood insurance, but they also do not want to over-designate properties either, and staff wants to cut this as close as they reasonably can in terms of the new FIRMs.

Mr. Watson said he feels differently than Ms. Grewe. He explained that no one showed up at the previous PC meeting when the Commissioners first reviewed the FIS and FIRMS, and he is glad the COW opened public testimony, including taking the action that they did. Notices of that COW were mailed to affected property owners within changed floodplain areas, and they received a good response from the mailout by the number of people who attended the COW. He said the COW heard "horror stories" from people who have to pay flood insurance, so they are true. Furthermore, when a homeowner tries to sell a property that requires flood insurance, it removes many potential buyers. The City has to make the best possible effort to resolve what they can in regards to correcting the FIS and FIRMS otherwise they would be remiss in representing the citizens. The COW was an effective meeting and he learned a lot, especially from Mr. Menzies' public testimony regarding the Mendenhall Mall area.

Mr. Miller said he agrees with Mr. Watson. He said if homeowners have to purchase flood insurance, it could cost them up to \$300 per month. What the changes in the floodplains on new FIRMS did was turn as many as 2,000 homes into floodplain areas. He said some of these homes would probably be out of reach of the median-level income for people who reside in Juneau, which was a huge shock. It was important to provide all the affected property owners notice of the COW meeting, and he is frankly disappointed that only +400 property owners were notified because there might be as many as 2,000. Chair Gladziszewski asked why Mr. Miller is stating there are about 2,000 if staff reviewed the new FIRMS and decided to provide notice to +400. Mr. Miller explained that the +400 number was probably conservative, as staff stated at the COW meeting that there could be as many as 2,000 affected homeowners, which is a very important point. Some of the testimony at the COW meeting that Mr. Pernula did not mention was when a person reviewed the new FIRMS of their subdivision and found it listed as being in the floodplain, but an adjacent neighbor is not, but their water drains onto the neighbor's property. He said this particular person has owned their property for 10 to 15 years, and a person would not make that type of statement if it were not true. Basically, he could drive by the property to confirm this, and it would be fairly obvious. These types of aspects are important to be included with the review of the new FIRMS, including recording actual data using a laser to show where the new FEMA maps are incorrect. He applauds staff for the well-written letter that was provided to FEMA with data, and staff and the PC should vigorously pursue this because if the new FIRMS are actually increased in the floodplain areas as much as FEMA is stating, it is going to place a huge burden on this town. Chair Gladziszewski said she was a strong advocate for sending out notices to affected property owners in terms of the new FIRMS. She wants to state for the record that staff reviewed the new FIRMS to notify affected property owners who are now listed as being in the floodplain in the borough, which they determined to be +400, but Mr. Miller just stated that this number is higher. Mr. Chaney said staff provided notices to all property owners who were previously not listed on the old FIRMS floodplains, but are per the new FIRMS. These are property owners who did not have to pay flood insurance before, but they would have to now if they have federally-backed mortgages, which is where the +400 number was derived from. He said the 2,000 number is more regional in nature regarding the mapped floodplains, but a majority of those properties were already in this zone when the new FIRMS came out. Chair Gladziszewski confirmed that if staff's numbers are correct, about 1,600

properties would be in floodplains per the new FIRMs. Mr. Chaney said yes, explaining that staff did not provide notice to those property owners because they were already in floodplains, which was partially due to the notice costs.

Mr. Watson commented that concerns were voiced at the Docks and Harbors meeting last week that the new FIRMs could affect their tideland leases, which was probably already communicated to staff, and this could also have a financial impact to the CBJ over time.

Ms. Bennett commented that she mentioned at the previous COW meeting that if the potential for an increase in insurance rates stems from properties being designated in the floodplain area on the new FIRMs, the PC and City have the obligation to inform homeowners of options to maximize their appeal process, which Mr. Feldt offered to follow up on.

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

Mr. Watson said the Subdivision Review Committee met earlier tonight and reviewed new common wall guidelines, and this project would take place over the next couple of months.

Mr. Miller said the Wetland Review Board (WRB) recently met and discussed best management practices for local ditch maintenance with representatives from the CBJ Streets Division and the State Department of Transportation. The letter writing process the WRB underwent has already had an impact because the maintenance personnel are now seeding ditches directly after maintaining them, which is great. He explained that when subdivisions are constructed, bonds are not released until ditches are seeded and successfully growing, and then a year later the maintenance personnel excavates them down to raw dirt, which does not make sense. Under the new practices, the excavated ditches are now being reseeded so they quickly begin to grow and start filtering sediment, as opposed to consisting of raw dirt for a couple of years and eroding over time. This has been a lengthy process, but the results are already forthcoming, which the members of the WRB are glad to see.

[The May 16, 2011 PWFC minutes were provided by staff to the PC for their perusal.]

### **XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS** - None

### **XV. ADJOURNMENT**

**MOTION:** *By Mr. Watson, to adjourn the PC meeting.*

There being no objection, it was so ordered and the PC meeting adjourned at 8:30 p.m.