

MINUTES

PLANNING COMMISSION
CITY AND BOROUGH OF JUNEAU
Michael Satre, Chair

REGULAR MEETING
February 12, 2013

I. ROLL CALL

Chairman, Michael Satre, 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 7:04 p.m.

Commissioners present: Michael Satre (Chair), Dennis Watson, Nathan Bishop, Karen Lawfer, Jerry Medina, Marsha Bennett, Dan Miller.

Commissioners absent: Nicole Grewe, Benjamin Haight.

A quorum was present

Staff present: Eric Feldt, Planner; Greg Chaney, Planning Manager; Hal Hart, Director; Beth McKibben, Senior Planner; Rorie Watt, Director of Engineering

Chair Satre announced the availability of revised agendas that were slightly different than what was on the public notice; all the same items, just in a different order. He added that after the Planning Commission Liaison Report, they would do the election of officers.

II. APPROVAL OF MINUTES

January 8, 2013 – Regular Planning Commission Meeting.
January 22, 2013 – Regular Planning Commission Meeting.

MOTION: *By Mr. Miller to approve the January 8th, 2013 and January 22nd, 2013 meeting minutes with any changes or corrections as provided by staff or Planning Commissioners.*

There being no objection, the minutes from the January 8, 2013, Regular Planning Commission Meeting and January 22, 2013, Regular Planning Commission Meeting were approved.

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

IV. PLANNING COMMISSION LIAISON REPORT

Chair Satre stated that Mr. Carlton Smith was out of town.

ELECTION OF OFFICERS:

Chair Satre continued on to the election of current officers on the Planning Commission with himself as Chair, Mr. Watson as Vice-Chair, Mr. Miller as Clerk, and Ms. Grewe as Vice-Clerk. He said there had been no changes on the Planning Commission in three appointments, but they needed to reestablish those officers via a motion.

MOTION: by Mr. Miller to keep the officers the same, as it has been precedence in the past that officers were elected by their seniority.

There being no objection, the officers were established as per Mr. Miller's motion.

He appreciated the confidence in them continuing to stay on and added that if the Chair and the Vice-Chair were absent, then Mr. Miller or Ms. Grewe would take over as Chair of the meeting at that time.

V. RECONSIDERATION OF THE FOLLOWING ITEMS

VI. CONSENT AGENDA

AME 2013 0001: Map amendment change: Re-classify a portion of Auke Rec Bypass road to Minor Arterial from Local Access Street; and a portion of Old Glacier Highway to Local Access Street from a Minor Arterial.

Applicant: CBJ
Location: Sections of Auke Rec Bypass and Old Glacier Highway

Staff Recommendation:

Staff recommends that the Planning Commission recommend that the Assembly adopt the proposed road reports-classification change [as shown in Attachment A].

VII. BOARD OF ADJUSTMENT

VAR 2013 0001: A variance request to reduce minimum lot width for future zero lot line from 60 ft to 52 ft for one (East) of two proposed lots (same request as previous case, #VAR07-04, which has expired.)

Applicant: Nathan Overson
Location: 9043 Lupine Lane

Staff Recommendation:

Staff recommended that the Board of Adjustment adopt the Director’s analysis, findings, and “decision” on the requested Variance, VAR 2013-0001. The variance would allow the subject property to be subdivided into two common-wall lots, one of which would not meet the minimum lot width requirement of 60 feet for common-wall lots in the D-5 zone.

Mr. Medina stated that he would like to pull VAR 2013-0001 because he had some questions for staff though did not need a full presentation.

MOTION: by Mr. Watson to accept AME2013 0001 with staff's findings and recommendations asking for unanimous consent.

There being no objection, AME 2013 0001 was approved.

Chair Satre adjourned as the Planning Commission and reconvened as the Board of Adjustment to take up VAR 2013-0001 to address Commissioner Medina's concerns.

VAR2012 0033: Request for height variance from required 35 feet to 47 feet for proposed UAS dormitory.
Applicant: MRV Architects
Location: 11120 Glacier Hwy

Mr. Miller asked if it was in the Comprehensive Plan or was there talk at one time about making a zone that was institutional. Ms. McKibben responded that the Comprehensive Plan shows this area as IPU (institutional and public uses), but there is not a zoning district that is institutional. Mr. Miller stated that the height restriction in D5 was 35 feet, but wondered about the height for zoned areas for hospitals and such. Mr. Chaney replied that hospitals were zoned as general commercial, so it would have a 55-foot height limit.

Ms. Bennett commented that it was a fine looking building situated with trees surrounding it and in the middle of a large property, so the extra height was not going to affect any neighboring properties and would add a lot of attractiveness to the campus.

MOTION: by Mr. Watson to approve Variance 2012 0033 with staff's recommendations and findings and asked for unanimous consent.

There being no objection, Variance 2012 0033 was approved.

Chair Satre adjourned the Board of Adjustment and reconvened as the Planning Commission.

Mr. Medina mentioned that he did not see a copy of the application in the staff report. Mr. Lyman stated that was an oversight, he said that it had been completed, signed by the applicant and the property owner and the fee paid.

Mr. Medina said he was curious about what happened during the past six years after the original variance was granted. Mr. Lyman responded that variances, like other Land Use Permits, expire after 18 months if no building permit is obtained and no substantial progress on the work is initiated. A few different steps could be followed for a common-wall subdivision like this, to either build or upgrade the existing wall; in this case, there was no wall currently running down the middle of the garage. So, they obtained a building permit and built a new wall, had it surveyed and an as-built drawn that showed the proposed property line was where the wall was, and then they would go through the subdivision plating process. He added that for whatever

reason, the applicant had not pursued those steps. If any work had happened, the permit would not have expired.

Chair Satre called for public testimony and seeing none, it was closed.

MOTION: *by Mr. Watson to approve VAR2013 0001 with staff findings and recommendations asking for unanimous consent.*

There being no objection, VAR2013 0001 was approved.

Chair Satre adjourned the Board of Adjustment and reconvened the Planning Commission.

VIII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS

IX. UNFINISHED BUSINESS

X: REGULAR AGENDA

SMP2012 0001: Montana Creek West PUD Phase 2A: Major Subdivision resulting in 12 new lots.
Applicant: Bicknell Inc.
Location: 5401 Montana Creek Road.

Mr. Miller recused himself because of a conflict of interest in that he had previously worked at Bicknell.

Staff Recommendation:

Staff recommended that the Planning Commission adopt the Director's analysis and finding and grant the requested Preliminary Plat permit of Phase 2A Montana Creek West Subdivision. They further recommended that the approval be subject to the following conditions.

Prior to final plat recording, the plat shall receive final technical review by the CBJ Engineering Department to ensure the plat is in conformance with required surveying and accuracy standards. Prior to final plat recording, all subdivision improvements must be constructed or bonded or.

Chair Satre called for the Staff report for SMP2012 0001 and mentioned that this was a prior item on the Consent Agenda and if they could focus the staff report on the item or items that relate as to why it was no longer on the Consent Agenda, it would help them focus their conversation.

Staff report:

Eric Feldt, Planner, explained that the applicant was proposing Phase II-A of Montana Creek West; Phase I was complete. He referred to an aerial photo from 2006, showing Phase I, which was out of date, but accessible. He pointed to Lone Wolf Drive, established homes on both sides of the road and showed where the future development of Timberwolf Lane would be. Phase II-A would consist of 12 new dwelling units.

He then pointed out to the plan, a full build-out subdivision scenario approved in 2005 to a previous major subdivision and a Planned Unit Development, which meant that through preserving specific open spaces such as wetlands and preserving a park in later phases, the applicant was able to plat several different styles and prices of properties and build very diverse types of housing, which would not otherwise have been permitted under the current zoning district. The Planned Unit Development provided some flexibility.

Mr. Feldt referred to the approved sidewalk locations from 2005, and noted that was why this case was pulled off the Consent Agenda. He pointed out to a sidewalk within the 60-foot right-of-way that was designed to City standards with drainage features, sloping and other amenities. The applicant's design showed a 5-foot sidewalk (within the orange line on the map), which was a deviation from the location of the future sidewalk. The applicant currently was at 100% construction drawings and ready to move forward after gaining the preliminary plat approval; however, staff noticed that this location was very different than the one above, unfortunately it was an oversight by staff at the last minute, which resulted in pulling off the case for further discussion.

He compared the future effects of having a sidewalk in the southern part of the street versus northern. Referring to a diagram, he pointed out that the sidewalk would come and wrap around to the future section of the sidewalk, and if someone wanted to use it, they wouldn't have to cross the street. So what that meant was fewer points of conflict with automobiles and people had an area of sidewalk dedicated to them. In having the sidewalk at the new location, a crosswalk would be created. Though many people are comfortable crossing the street, not everyone was. Since the construction drawings were 100% done, it would be a burden to the applicant to go back to the designer and redo the entire plan, but Mr. Feldt noted that this was the reason why the original design showed the sidewalk in that location.

Mr. Feldt continued to say that there were two alternatives that staff would like Planning Commission to decide on for a preliminary subdivision: the applicant would construct a sidewalk that would continue on to a crosswalk and the second choice would be to have the applicant revise their plans to have the sidewalk wrap around and then continue as with other Phases. Staff recommended two conditions that were addressed during the final platting recording and these are standards for major subdivisions. Staff prepared a new condition if the Planning Commission wished for the applicant's proposal to move forward, that it addressed not only the proposed feature, but the future feature. Prior to final plat approval, the applicant shall request CDD to create a new sidewalk location drawing that provides a safe pedestrian network for the whole subdivision. This will revise the original sidewalk plan approved under subdivision permits SUB2005-00048 and SUB2006-00018.

Mr. Medina questioned if the Engineering had an opinion on the location of the proposed new sidewalk. Mr. Feldt replied that Engineering Department said that it met their code minimal requirement.

Mr. Watson asked for confirmation on whether the sidewalk/walking path was on the opposite of the road, at the Lone Wolf exit on to Montana Creek. Mr. Feldt and the other other commissioners verified that was correct.

Public Testimony:

David Blomner, 3854 Seaview Avenue, Juneau, works for Bicknell Inc., stated that this had been submitted for a long time and it would be a burden to redesign everything. He pointed out that Engineering had approved the sidewalk on one side of the road and at one point or the another, there would have to be a sidewalk and he didn't feel that changing anything would compromise much.

Chair Satre questioned if it would be agreeable for Bicknell to work with CDD to establish a safe pedestrian network that would take into account the next phase of this subdivision. Mr. Blomner responded that it was agreeable.

Chair Satre thanked Mr. Blomner and opened public testimony. Seeing none, public testimony was closed.

MOTION: *by Mr. Watson to accept SMP2012-0001 with the new conditions as detailed by staff and asked for unanimous consent.*

Mr. Bishop wanted to hear from staff in terms of what they anticipated being problems associated with the change, if there were any, if this was something that they were comfortable with or not.

Mr. Feldt said that this proposed change certainly resulted in some different conversations between staff, but it came down to where they were right now and safety for the most part. He reiterated that he knew people felt comfortable crossing streets; however, he thought that overall people felt safer where there were designated pedestrian amenities such as sidewalks. The reality with pedestrians was that they would cross or use the shortest travel distance.

Mr. Bishop asked if the northern portion of the sidewalk had been constructed as part of Phase I (Lone Wolf). Mr. Feldt replied that it has not been constructed but was still required. Mr. Bishop asked if the new condition got rid of that requirement. Mr. Feldt said it would not get rid of that requirement but it could address a future crosswalk.

Mr. Bishop queried no matter what decision they made, it would need to be developed at some point. Mr. Feldt replied that was correct. Chair Satre interjected that it would be required unless an application was made to remove that, but it would be a modification to the subdivision plats. Mr. Feldt agreed.

Mr. Bishop asked where they stood now that the subdivision had already been accepted and completed. Mr. Feldt replied that as a development grows (which may or may not require a major subdivision), staff will examine how each phase is being developed and ensure that all safety features are being met and if there is any room for flexibility within the code, then the City could work with the applicant. If the applicant decides to make a large departure, they would have to revise the original plan. Mr. Chaney commented that they were not able to confirm it,

but he believed that the applicant bonded for the improvements. He knew they bonded for some of the improvements for constructing the street, so that the plat could be recorded, and he believed that they still held the bond to ensure the construction of this section. He said that it had not been overlooked, it has just not been done yet.

Mr. Bishop asked if it was the intent of staff to pursue that and work towards accomplishing the sidewalks. Mr. Chaney said yes, it is still a requirement and they haven't given up on that.

Chair Satre said that ultimately the idea with the proposed condition was to ensure that the sidewalk change does not end with 2A, that they would try to integrate this into the remainder of the sidewalk network.

Mr. Bishop spoke against the motion saying that he thought the subdivision as designed originally had better pedestrian amenities than the proposed circumstance and he did not see any reason for the change.

Mr. Watson opined that he found Commissioner Bishop's point rather moot because regardless of which side the sidewalk was on, neighbors on the other side of the street are going to have to cross the street to get to the sidewalk.

Ms. Bennett stated that she felt comfortable with it as long as they were holding the bond, since they would have to agree with the network system and it would have to be user-friendly.

Roll Call Vote:

Ayes: Bennett, Medina, Lawfer, Watson, Chair Satre

Nays: Bishop

Motion passes 5-1 and SMP2012-0001 was approved.

SMP2012-0002: Major subdivision resulting in six new lots

Applicant: R&S Constructions, LLC

Location: 12100 Mendenhall Loop Road

Staff Recommendation:

Staff recommends that the Planning Commission adopt the Director's analysis and findings and grant the requested Preliminary Plat Permit. We further recommend that the approval be subject to the following conditions.

1. Add new plat note stating "parts of this subdivision may contain wetlands. Construction with appropriate regulatory agencies is required prior to filling wetlands."
2. Prior to Final Plat Approval, the applicant shall designate all wetlands on the plat derived from a wetland delineation.
3. Prior to the recording of the subdivision plat, the applicant shall remove, or bond for the removal of, the garage shown in Attachment C.

4. Prior to construction of the subdivision improvements, the applicant shall submit a detailed drainage management plan consistent with CBJ §49.35.510, including a bioswale.
5. Prior to Final Plat Approval, the applicant shall submit a document having the identification, location and elevation of the benchmark used to establish vertical control.
6. Prior to Final Plat Approval, the applicant shall submit the results of the soils test to the Community Development Department.
7. Prior to Final Plat Approval, the applicant shall add the address of the owner in the Plat title block.
8. Prior to Final Plat Approval, the applicant shall submit an HOA agreement establishing the maintenance and responsibilities of all common areas, including the driveway.
9. Prior to construction, the applicant shall note the contour interval on a topographic plan for Community Development Department acceptance.
10. Prior to construction, the applicant shall submit detailed drawings of the proposed utilities and driveway meeting all applicable CBJ Engineering standards.
11. Prior to Final Plat Approval, the applicant shall designate on the plat a ten-foot drainage and no disturbance easement along the entire northeast border of the subdivision. This will allow for a natural filtration of storm water runoff prior to entering the 18" cross culvert on Back Loop Road.
12. Prior to construction approval, the applicant shall make a note on the construction drawings stating: The centerline of the driveway shall meander to match the flow line of the ditch to the toe of existing slope. This will maintain the integrity of the existing slope. In addition, the ditch shall be widened to 8 ft to allow for a bioswale meeting the intention of the CBJ Storm water Program.
13. Prior to Final Plat Approval, applicant shall construct a pedestrian pathway at least five feet that is accessible by all lots and connects to Back Loop Road.

VAR2012-29 Permit Conditions:

1. Prior to final plat recording, the developer shall provide for a homeowner's association whose responsibility will be ensure that the property owners will provide for the continued maintenance of the shared driveway.
2. Documents creating the homeowners' association shall be recorded concurrently with the final plat.
3. Fire apparatus access and turn-around must be provided and shall be constructed to International Fire Code Standards prior to issuance of any Temporary Certificate of Occupancy (TCO) or Certificate of Occupancy (CO) for dwellings on the property.

Staff Report

Mr. Feldt, Planner, explained that the applicant was proposing a major subdivision that would result in five new lots, six lots overall. The site is next to Auke Lake, next to the UAS Student Housing, Lee Street Development to the south and Auke Bay to the southwest. Last month, the Board of Adjustment approved a variance to the minimum rectangle rule, which allowed certain unique design standards, and with the approval of the variance, the applicant was able to move forward with the design shown on the board. He pointed to the map to show how the subdivision

would have a panhandle shape with a single vehicular access and an accessory driveway going to each site. Since each property had at least 30 feet of frontage to the Mendenhall Back Loop Road right-of-way, the applicant was not required to build a city street.

During the review of the Preliminary Plat Approval, a draft plat needed to comply with Titles 49 and Title 4 for its Planning Standard, construction drawings must meet public improvement Sections 49.5, 30, 35, and Conditional Use Permit findings that address public safety, property value, and conformity with plans. Some of the public improvements required were to put in new water, sewer, and water lines and lights.

With a requirement of putting in a city street, which is not part of this proposal, they would have to put in not only all of the utility lines, but a paved roadway with curb and gutter, sidewalks on both sides of the street and street lights - all of which add value to the roadway for vehicular and pedestrian purposes, and also to the neighborhood. The issue was the applicant was not required to build a city street. Staff went through the Conditional Use Permit findings to address safety, property value and conformity with plans as required for the Preliminary Plat Approval. The applicant's proposed improvements include: a new private driveway that will be maintained by a new Homeowners Association and all the necessary utility lines which would be extended to the new parcels of land.

Mr. Feldt pointed to the location of the new private driveway and the applicant had submitted a typical driveway section showing a 20-foot wide road bed that was the minimum to meet fire apparatus accessibility. The applicant had drawn it to scale with two vehicles passing each other that would take up approximately 14 feet of roadway width, leaving 3 feet of roadway for safe room for a pedestrian. Also noted was a driveway to a residence where the applicant believed that the pedestrian could safely move over on to the driveway if needed, if there were two cars that came down the driveway at the same time. Mr. Feldt said that staff had pulled this case from the Consent Agenda to address pedestrian safety features. Also noted on the section was an 8-foot wide bioswale where water runoff would be collected and filtered, as it went down towards Back Loop Road. By the time the water reached the area, it would be cleaner than what it began with. In looking at the application and speaking with the applicant, staff proposed having a separated pedestrian path which would be safer than having a pedestrian walk on the driveway. Since the applicant wasn't required to build a city street, it wasn't very clear on how they could specifically address the pedestrian features; however, the Conditional Use Permit standards were able to address safety and pedestrian standards. The applicant had submitted pictures of nearby private streets and driveways to provide a view of what a driveway less than 20 feet of roadway width would look like, he noted the gravel surfaces. Mr. Feldt continued showing examples and saying that Oxford Street served approximately 10 lots and each of those lots were in the Residential Zoning District, so they could have at least a single-family dwelling unit. He showed another picture of a private driveway serving 4 units.

Staff recommended several conditions, all of them were acceptable to the applicant except for the condition of putting in a pathway because [the applicant] felt that the driveway at its proposed design would safely accommodate pedestrians. Staff believed that a separate pathway will better serve as a safe area for pedestrians. The proposed pathway would be a gravel surface, but it would serve as an area where people would feel safe. If required by the Planning

Commission, the pathway would run parallel to the driveway and would be accessible by all properties and connect with Back Loop Road. Back Loop Road currently does not have a pedestrian feature, but there is a bike path. A pedestrian walking down the future trail could walk on the bike path to get to amenities in the Auke Bay area. The 2009 Non-Motorized Transportation Plan recommends the use of a separate pathway along Back Loop Road, so if the pathway was installed in the future, the connection of this pathway would connect to a future overall pedestrian network. Staff is asking the Planning Commission to decide if the applicant's proposal meets the minimum pedestrian safety or if staff's recommendation will improve or be a safer pedestrian feature. Staff recommends in favor of the Preliminary Plat for the major subdivision with the additional condition addressing a new pedestrian pathway.

Mr. Miller said that condition No. 6 stated "the applicant shall submit the results of the soils test to the Community Development Department" and he wondered why it had been added to the application. Mr. Feldt replied that it was a standard condition of the required plat submittal and it has been in the code for a very long time but he didn't know the sole purpose behind it. Mr. Chaney added that it was to ensure they were buildable sites and not wetlands.

Chair Satre followed up asking if that condition was consistently applied to every Final Plat approval. Mr. Chaney responded that they were using that condition in areas where there was questionable soil.

Mr. Miller asked how many trips are generated from an average single-family dwelling lot. Mr. Feldt replied that it was approximately 10 trips per day. He stated that in addition to this area being zoned D-3 (primarily single-family dwelling units), future homeowners have the ability to file for Accessory Apartment Permits and if the lot is large enough, they could build either a duplex and if it is even larger, maybe two detached dwelling units. Those additional dwelling units might increase the overall trips per lot and staff had roughly calculated 12 to 18 max; closer to 14 dwelling units in this subdivision which would include accessory apartments or duplexes. Mr. Hart pointed out that in building the infrastructure, they are creating that possibility for the future.

Mr. Watson was concerned about the consistency or lack of soil samples and thus was not comfortable with that at all. He also recalled a previous application that was approved with a 20-foot wide road but a walking path was never addressed and he wondered about the inconsistency of staff.

Mr. Hart responded that typically one couldn't find wetlands everywhere in detail from a map but could find components that create a wetland like the water or soil. So, code allows soil as a good parameter of finding if an area was in fact a wetland.

Chair Satre stated that typically if code required an item, then it would not be included as a condition. He felt that there was some confusion because of that. Mr. Chaney pointed out that this was a standard condition required for all preliminary plats and major subdivisions. The applicant had not provided this, so prior to final plat, they were asking for a soil review and it was a fairly simple requirement in that it was not required to be done by a geologist, it was just making sure that there is a buildable site on each lot.

Chair Satre sought confirmation that it was a condition that was required as prior to final plat approval. Mr. Chaney clarified that it was actually required for preliminary approval and they didn't turn it in, so they would get it before the final plat. Mr. Chaney added that for other plats, if they had satisfied this condition as part of their application package, there wouldn't be a condition.

Mr. Miller said regarding conditions for wetlands, he thought the US Army Corps of Engineers decided whether or not you could fill the wetlands or not. If there were wetlands on site, they would have to get a wetland's delineation and a corps permit.

Mr. Feldt addressed Commissioner Watson's statement about consistently requiring pedestrian pathways. He stated that it was very clear that if a city street was being built, sidewalks were a requirement, but if a private driveway that reached several properties was being built, then there was a greater look at safety. It's very different if a private driveway is put down for one parcel and that parcel had direct access to the road than putting in a private driveway that is meant to be used by say five or more lots with a major subdivision, then more criteria apply, such as a Conditional Use Permit findings ensuring that public safety was being met. It was very different comparing five lots to one lot and that's why they made the subdivision threshold five lots or more.

Mr. Medina reiterated that in Condition 1, 'Consultation with appropriate regulatory agencies is required prior to filling in wetlands' so they would need to consult with the US Army Corps of Engineers. He spoke in favor of the separated pedestrian path and stated that they always have to **air** on the on the side of public safety.

Mr. Watson wanted to continue the discussion at a later time.

Ms. Bennett said that she did not understand condition #5 (Prior to Final Plat Approval, the applicant shall submit a document having the identification, location and elevation of the benchmark used to establish vertical control). Chair Satre believed it had to do with survey control. Mr. Feldt said that it was a survey standard required for every type of subdivision and it is specifically reviewed by their Chief Regulatory Engineer and the Engineering Department. Ms. Bennett felt that the applicant had not done their due diligence on the preliminary plat and thus all the added conditions. Mr. Chaney interjected saying that all of the requirements in the preliminary plat needed a major investment and the applicants' concern was not to invest too much money before they got approval. Mr. Chaney said he didn't feel any of the conditions were a problem because this was a technical standard and they could hire a surveyor who would establish the benchmark as required, so he didn't think there was any concern for the final platting. The bigger issue of the pedestrian path would be discussed with the applicants later on in the evening.

Ms. Lawfer referred to the outline of the driveway on Attachment C and asked if Mr. Feldt could show her where the pedestrian pathway would lie. Mr. Feldt showed Ms. Lawfer where the pedestrian pathway would be located, how it would connect to each of the driveways, and how future homeowners could walk down their driveway and then turn on to the pedestrian pathway.

He noted that the condition does not mandate it to be in that particular location, just that it had to be accessible to all lots.

Mr. Medina asked about the length of the 20-foot wide driveway. Mr. Feldt replied that it was about 500 feet in length.

Public Testimony:

Rob Worden, 12573 Auke Nu Drive and Scott Jenkins, 17070 Island View Drive.

Mr. Jenkins addressed item No. 6 (soil samples), saying that it was a surprise for them and he had spoken with Ron King (Engineering Department) and Mr. King had told him that he was surprised to see it as well and that he was going to talk to the Planning Department about it. Mr. Jenkins believed there was a small area in the upper corner that was delineated as wetlands but still needed clarification because it was a new thing for them on a subdivision. Mr. Jenkins spoke about the requirement for a 20 feet driveway approach to meet the IFP Code, this would be much wider than a standard dirt driveway to a private residence. He noted that this was not a City street, it is 500 feet long and five lots would be using the driveway as the first lot came directly off the highway. He thought that his sketch was probably not accurate and he should have shifted both the vehicles, a little bit to one side as they could run down the bioswale side and then there would be 6 feet of safety on the house side. Mr. Jenkins continued to say that the homeowners would have to do the maintenance because it was a private road and the homeowners would be more responsible than non-homeowners driving on city streets. He also stated that it was 12% grade where people would be driving much slower. He addressed the cost of maintaining the additional 5-foot driveway, the culverts and the pedestrian access. He thought they had a much wider driveway than a lot of places that he had seen.

Mr. Worden added that from the initial look at this drawing it looked like there wasn't much room, but the chances of two vehicles crossing at a pedestrian cross at the same time was fairly slim. He pointed to the sketch to show how there was ample room for two vehicles to pass. Mr. Worden also addressed the comment that there could potentially be 14 homes on the property, saying that their intent was not to make multi-family homes in a single family lot. He also questioned the 10 trips for a single family home. He thought that the accessory apartments would have even less.

Mr. Feldt said that the accessory apartments are limited to one bedroom, so it would be a different trip generation than a single-family dwelling, which didn't have a restricted number of bedrooms. Mr. Worden asked if the 140 trip calculation would then be incorrect. Mr. Feldt agreed that a 14-dwelling unit full build-out would not necessarily result in 140 trips because there would be different dwelling intensities.

Mr. Bishop referred to the property lines and felt that they would have to make fairly significant cuts in order to get the driveway at a reasonable grade. He asked if that was going to be feasible. Mr. Jenkins responded that there was a note on the plat that showed that the centerline of the driveway may vary due to contours and the steep areas would actually pull the driveway away, where they could do a nice rock slope after the bioswale (pointing to the map).

Mr. Bishop asked if they were showing an easement. Mr. Worden said the whole thing would shift over and they would still have the 8-foot bioswale. Mr. Jenkins said there was a 6-foot easement. Mr. Bishop then went on to ask if the bioswale was going to be a stabilized surface, if they would rock it, soil it, and seat it. Mr. Jenkins said that they were talking to Ron King about working with Sky Stekoll, a landscaping person with the City, to determine the best way to do it. Mr. Jenkins didn't think it was going to be an unwalkable surface at all.

Mr. Bishop asked if it was a semi-hardened and groomed area. Mr. Jenkins stated that he could tell what the outcome would be but believed that people are still going to be able to walk without any issue on either side of the road based on the sketch.

Public testimony was opened and since no comments were offered, public testimony was closed.

MOTION: by Mr. Bishop to approve SMP 2012-0002 adopting staff's analysis and findings, and conditions 1 through 12 with the exception of removing conditions 6 and 13.

Mr. Bishop spoke in favor of the motion though he was highly embarrassed by this subdivision because even though it meets the letter of the law, it does not meet the intent of the law. Although he felt it was a good thing, he thought it was being done the wrong way. He stated that time is of the essence and he hoped that this would set a good example of how not to waste land, to have subdivisions like this that are neighborhood friendly, that don't necessarily have to have a street that's built to City standards, but can be done with neighborhood driveways. He explained his intent on removing condition 6 because it was a structural condition, it's not meant for showing wetlands, it's meant for showing the feasibility of building on a site for the structural integrity of the soil so the soil tests have been an unnecessary curtailment to develop the roads that are necessary to accommodate large subdivisions. That's a requirement per code and it will be done if necessary, at the time that it is necessary. As for condition 13, he thought that the walking path for a 5-lot subdivision was beyond the needs of the neighborhood and beyond the needs of the applicant. He stated that there is going to be very little foot traffic with 6 lots and the amount of vehicle traffic is going to be low enough that neighborhood concerns over safety are marginal or minimal, if at all. He went on to say that there is adequate space whether it be on the edge of the constructed driveway or within the driveways to the specific dwelling units to be constructed. He stated that he did not have a problem with the pedestrian pass, but in increasing the size with a walking path, it becomes more of a road rather than a neighborhood driveway.

Chair Satre recapped the motion to approve the item with conditions 1 through 5, eliminating conditions 6 and 13, and keeping conditions 7 through 12 and to be renumbered appropriately upon approval.

Mr. Medina stated that he was in favor of the project, but was against Mr. Bishop's motion because he felt that conditions 6 and 13 were valid as they are in the code as Mr. Chaney said. He didn't see anything wrong to **air** on the side of public safety and looking out for the safety of the pedestrians. He was also concerned about the length of the driveway.

Mr. Miller supported the motion and concurred that condition 6 regarding soil tests was not a necessity for approval because a responsible developer is going to dig down to decent material and then they are going to bring it back up with whatever rock is necessary to fill it on. On condition 13, he agreed that public safety and pedestrian safety is important, but did not think that eliminating condition 13 will be putting pedestrians at risk. He stated that there is going to be less traffic up the street, and in his experience 10 trips per residence might be a little high and may not happen every day of the week. He did not think that having a separated pathway was extremely that important.

Ms. Bennett concurred with Mr. Miller and Mr. Bishop. She appreciated Mr. Bishop's comments about the kind of neighborhood it is going to be and the level of friendliness that's likely to occur among a small group of homes with a Homeowners Association. She did not think they should overdo it and create an environment that's unaesthetic to that small community. She was in support of the motion and looked forward to seeing some nice homes in Juneau because people really need them.

Mr. Watson concurred with Commissioner Bishop on Conditions 6 and 13 and appreciated staff's hard work in making this project possible under the current guidelines. He spoke in favor of the motion.

Ms. Lawfer stated that Condition 2 addresses the wetland delineation and thus was okay with removing Condition 6. She did have quite a bit of trepidation with regards to the removal of condition 13 because there was a possibility of single room apartments and being so close to the university, the chances of younger individuals with cars occupying them. She did not like the way the subdivision was carved out, specifically the panhandles, and wondered about its feasibility. She stated that she had a hard time developing subdivisions that don't allow for pedestrian access to a pedestrian way. She also noted that having a homeowners association may not always ensure unanimous decisions, but supported the homeowner's association. She felt that it was really important to allow for pedestrian pathways in subdivisions and making more walkable, bikeable, and drivable communities.

Mr. Bishop agreed with both Commissioner Medina and Commissioner Lawfer that pedestrian access into subdivisions is critical, but thought it was more a matter of scale. This is a small development, it's not going to be a high traffic area pedestrian-wise or vehicular-wise, it's going to be very quiet and very slow. He stated that a disconnected sidewalk was the wrong way to go. He noted that there are two plows in Juneau for disconnected walkways (Montana Creek and the Back Loop) and what would happen is the sidewalks won't be maintained and create a hazardous situation. A wider driveway might be another solution because it will be maintained. In the summer, he suggested making a hardened surface in the ditch as an area to walk.

Mr. Watson wanted to clarify if the motion to approve is not given tonight as a result of discussions with two of the commissioners, that the application would be denied. Chair Satre said that if the issue does not receive five affirmative votes, they could certainly make a motion that includes the other conditions or place a notice of reconsideration. Mr. Chaney added that they could also continue the item.

Ms. Bennett favored continuing it until another meeting when more commissioners were present which would make it more fair to the developers.

Friendly amendment: by Mr. Medina to increase the driveway width to 25 feet.
Mr. Bishop said he would stick with what he had proposed.

Chair Satre quickly recapped by saying that they had a motion on the floor to approve the item with the exception of conditions 6 and 13. Mr. Medina proposed what would become a new condition 13 requiring the driveway be constructed to a 25-foot width, but Mr. Bishop had not accepted that as a friendly motion, so that motion was now on the table for discussion to require a 25-foot driveway width.

Mr. Miller spoke against the motion saying that a 25-foot road might be excessive and also gave the example of snow being stored on the sidewalks and having to walk on the street. Ms. Bennett spoke against it saying that the 20-foot driveway was appropriate for the type of subdivision and the number of houses. Mr. Watson also spoke against the motion.

Roll Call Vote

Ayes: Medina, Lawfer

Nays: Miller, Bennett, Bishop, Watson, Satre

Motion fails 5-2 for the proposed amendment.

Chair Satre stated that Mr. Bishop's original motion was on the table.

Roll Call Vote

Ayes: Miller, Bennett, Bishop, Watson, Satre

Nays: Medina, Lawfer.

Motion passes 5-2 and SMP 2012-0002 was approved.

BREAK 8:41 p.m. to 8:48 p.m.

Chair Satre called the meeting back to order and continued on to the three university dormitory applications that would be heard as one.

USE2012 0023 & CSP2013 0004: Conditional Use request for a UAS 60 room dormitory residence with connected meeting space, study rooms, seminar space, and shared laundry.

Applicant: MRV Architects

Location: 11120 Glacier Hwy

Staff Recommendation:

Staff recommends that the Board of Adjustment adopt the Director's analysis and findings and approve the requested Variance, VAR2012 0033. The Variance permit would allow for a height variance from required 35 feet to 47 feet for proposed dormitory at the UAS main campus.

Staff Report:

Ms. McKibben said she had one presentation - The first part of it would focus on the USE and the CSP, which were being heard together, then the slides with drawings from the application materials, after which she would go over the variance.

Chair Satre said they would take the staff report as one and then handle public testimony. When they got to the actual motion, they would separate the items out.

Ms. McKibben stated that all the pictures belonged to all three of the applications for USE2012 0023 and CSP2013 0004 for the Conditional Use Permit and State Project Review for a 120-bed dormitory in the D5 zoning district. She showed the location map - University of Alaska Southeast Campus on Auke Lake and an aerial photo showing the surrounding zoning and an elevation drawing. She pointed to the drawing where the new building would be located on the campus. In relative location to the Noyes Pavilion, the height calculations noted the highest; just shy of 47 feet, which was Phase 2. The site is almost 23 acres with D5 zoning. There is an associated height variance. The height limit in the D5 zoning district is 35 feet and the tallest maximum height of the proposed building is just a few inches short of 47 feet. The total building proposed to be 33,924 square feet with five stories, a total of 120 beds in 60 rooms. There would be meeting spaces, study room, seminar spaces and shared laundry. There would be two phases each with 60 beds in 30 rooms, Phase 1 construction was anticipated to begin in 2013 with completion in 2014 for 20,800 square feet. Phase 2 construction was anticipated to begin in 2014 with completion in 2015, for 13,124 square feet.

Staff recommendation for the USE permit and CSP was to grant approval. The variances were for 47 feet versus the allowed 35 feet for the proposed dormitory. She noted a correction to finding #3 (delete 'not') – Yes, based on the analysis above, staff has determined that the applicant has presented an argument that justifies the grounds for this variance (6 requirements). Some of the justifications were that the building was set back into the hillside and that it is similar in height because of the hillside to nearby Noyes Plaza, that allowing the increased height allows for a reduced footprint of the building because it would be higher and more compact, which reduces cost for applicant for site preparation, extracting bedrock and also reduces impacts to the site and the need to remove trees, maintains the tree buffer, and reduces impacts to nearby wetlands. Staff is recommending approval for the variance. She called for any questions and mentioned that the applicant had several representatives present and one of them wanted to do a brief presentation and the others were there to answer any questions.

Public Testimony:

Keith Gherkin, Director of Facility Services, University of Alaska Southeast, gave a little background of the project. The University had been working all of 2012 on new campus master plans. The University Board of Regents required this to be done every 7 to 10 years. They realized that they had to work at developing the core of the campus more than they had in the past and moving more activities for social interaction for students into the core campus to make the social experience of the campus more meaningful and in turn academic success. This project, a year ago, was an addition to Banfield Hall (up the hill, the panhandle subdivision which was just approved), about two-thirds of a mile from the library, cafeteria, main classroom building, and most of their freshman did not have cars, so it was a real inconvenience. As part of

that planning process, they saw this project as being a big step in bringing more activities to the center of campus, giving their traditional freshman a more convenient and socially satisfying campus life. He said they really appreciated the Commission taking this up.

Chair Satre thanked Mr. Gherkin and mentioned that it was a wonderful project to make University of Alaska Southeast better and that sometimes involved being bigger, adding facilities and redoing facilities.

Public testimony was closed.

MOTION: *by Mr. Watson to approve USE2012-0023 and CSP2013-0004 with staff's recommendations and findings and asked for unanimous consent.*

There being no objection, USE2012 0023 and CSP2013 0004 were approved.

Chair Satre said that it was an absolutely wonderful project, they looked forward to its completion, and thanked everyone for being there.

CSP2013 0003: Planning commission review and discussion of CIP (Capital Improvements Plan) and project nomination
Applicant: CBJ
Location: North Douglas Hwy

Beth McKibben, Planner, stated that this was to give an overview and introduction about the CIP and to have the Commission think of projects that they would like to see added. She referred to their packets and mentioned the first draft of the current year's priorities, the Excel table with last year's 6-year plan. She noted that Mr. Watt was there to give them more detailed information about the current year's list that is being considered by the Public Works and Facilities Committee. She stated that staff would be coming back at a future meeting with the required review for consistency with the Comprehensive Plan.

Policy 18.6 tells them to develop a six year Capital Improvement Plan to implement the Comprehensive Plan by coordinating urban services, land use decisions and financial resources to provide adequate funding for capital improvement to ensure the policies, standard operating procedures, development guidelines, implementing actions, and subarea guidelines of the comprehensive plan are implemented. Their next step would be reviewing the projects for consistency with the Comprehensive Plan, but this was an opportunity to look at the list, the plans and the financing and make sure that they were all heading in the same direction.

The Comprehensive Plan also outlines the process for how it would go and what was needed to do this on a 6-year program. Part of the process was to request departments, the public and policy bodies such as Planning Commission to nominate potential capital improvement projects from a variety of sources (the Comprehensive Plan, Non-Motorized Transportation Plan, Climate Action Plan etc.). CDD staff will have to analyze each project for conformity with the plan and they would bring it back to the Planning Commission because Title 49 told them that the Planning Commission had to review it for consistency with the Comprehensive Plan. The CIP

sponsoring agency prepares and makes public-related subsidiary CIP studies reports and documents. Maintain involvement with other governmental sponsors of capital improvements and public works in general to assure that the efforts of those sponsors are compatible with local needs, conditions and the policies of the Comprehensive Plan (e.g. working with agencies like DOT's). The Land Use Code establishes the role of the Planning Commission in the CIP process – to review the CIP for consistency with the Comprehensive Plan and they will be doing that at a future meeting project by project.

Mr. Watt spoke about the CIP and the process. He noted that any missing pages in the CIP could be found on the web. By the City Charter, the City is required to do a six-year capital improvement program, and each department and each entity within the City does their six-year plan, which is then brought together as the CIP. The CIP is also the one-year funding plan for the things that get funded each fiscal year.

The Funding Mechanism: This fiscal year 2014 (FY14) encompasses a variety of different funding sources in different activities. It includes things like general sales tax, area-wide sales tax, temporary sales tax approval, wastewater and water utility funds approval, a recent bond package that the voters approved in the fall as well as other unscheduled funding items, and some of those would include requests made to the legislative delegation or grants anticipated for entities like the airport.

The CIP can be frustrating to members of the public in that while it is a six-year plan and funded for one year, there is no guarantee that the project will be funded the next year because of economic circumstances and the will of the community. He explained that every year priorities change, they get three new assembly members every year, they have changes in City staffing, the priorities of maintenance change, enterprise board constituencies change, advisory committees change.

General Sales Tax – For many years, the City has appropriated \$1 million of that particular 1% for projects. It has funded a variety of things in the past, but for the near future, it will be funding the Prism Lease (financial software that the city negotiated for and procured five years ago), some add-on projects, and other computer-related needs. He mentioned a variety of projects that were funded in the last several years with the "general sales tax" (cooling at the library and police station, servers, computers and other technology needs).

Area-Wide Sales Tax - 1% of sales tax for one year is forecasted at about \$8.7 million. These projects typically have been split between public works, street maintenance, water, sewer, fire, Eaglecrest, Parks & Recreation (trails, snow management), transit, and a few other projects like the Sea Walk plan and Bridge Park that the Assembly in its deliberations designated for a public park, a maritime exchange building proposed by Docks and Harbors and the Statehood Whale (a life size bronze whale).

Ms. Lawfer questioned if the "area-wide sales tax" was 1% per year and would be \$8.7 million. Mr. Watt answered that 1% of the 5% sales tax is referred to as "area-wide sales tax" and each of those are worth about \$8.7 million.

Mr. Watt continued to say that there are street maintenance projects included in the area-wide which are the road reconstruction priorities for the year like resurfacing, paving, storm drainage, and sidewalk improvements. Two projects were LID's (Local Improvement Districts), neighborhoods that had come forward, organized themselves with petitions, asking that the City improve their roads and offering to pay a portion of the cost – which he thought were good partnerships. Another portion of the money would go to bus shelters.

Temporary 1% Sales Tax – The expiring 1% sales tax, he stated that this past fall, the voters approved a package of sales tax and bonded projects. This tax would be collected up until the end of September 2013. The projects were all under way and he highlighted the Pederson Hill Land Development, because he thought that was of interest to the Commission. All of the discussions about municipal land development presentations Ms. Marlow and he had given come out of this pool of funding. They don't know what the projects are going to look like but they have made recommendations to the Assembly, but the good news was that there was slightly north of \$6 million available for those efforts. He hoped that the money could be one piece of the solution to some of their housing issues and hopefully they could get going on one of those projects this year after the Assembly makes a decision on it.

New Sales Tax – The new 5-year extension that voters approved in October. He cautioned that sales tax was collected year by year and had to be doled out that way. They have tried to give the projects that were most ready, sales tax monies in the first year. The three most ready projects were; SREF (Snow Removal Equipment Facility) at the airport, the Valley Library, and the Walter Soboleff Center downtown, the cultural center by the Sealaska Heritage Institute. He said that all those three projects have been progressing well. The other three pieces that were set aside in the new sales tax - the Assembly had committed to paying for some of the bonded projects, the first-year payment showed augmenting the sales tax budget reserve up to a more robust level, and continuing on building maintenance projects.

Ms. Bennett asked where The Perseverance Theater/JACC Project was at. Mr. Watt responded that the project would get \$1 million out of the sales tax and he thought they had that projected for a couple of years out. He thought it was a \$15 million project and he believed that they would be asking for advanced funding to get some of their design work done and that they had restructured the project, and were going to be pursuing it as a private entity not as a public project.

Mr. Watson thanked Mr. Watt for the way he did his presentations at the Public Works Committee. He asked about matching funds such as around the airport mentioning that they could get \$3 for every \$1. He asked if there was any weight given to grants that have larger ratios of matching funds, when they were looking at the CIP list. Mr. Watt answered that a lot of weight was given to leveraging money. The school districts had been particularly successful and the airport project. School districts were generally 70%, a lot of state grants were about 50%, outside grants had clearly pushed a lot of projects from the hoped for range into the reality range.

Passenger Fee Project Funding – 1) Local Marine Passenger Fees, the distribution of those fees is something that the manager's office does. He explained that early in the year, a solicitation is put out requesting proposals for Marine Passenger Fee Utilization and people from the community

propose projects and the manager creates a list, takes it to the Assembly for approval, and it would get approved as part of this document. He gave an example of the Waterfront Sea Walk approximately \$1 million but those projects generally take a minimum of \$3 million to be built. There had been some discussion and commitment from the Assembly to fund some Sea Walk projects with revenue bonds. Mr. Watt continued to say that he would give an update of the Sea Walk project at the next Commission meeting on February 26, 2013 and where they were at in the context of DOT's Egan Drive Project from Main to 10th Street.

2) The Port Development Fees. 3) State Marine Passengers Fees - The Assembly has dedicated both towards the revenue bond that would pay for the dock projects.

Water and Wastewater Enterprise Funds - Utility reserves; monies that they have earned from user fees, proposed to fund the maintenance of their water and sewer systems with.

Bonded Projects - Projects that the voters approved at the October election; along with the sales tax, there were about \$25 million or so worth of bonded projects. They would be seeing quite a bit of construction over the next four years out of the bond issuance, more renovation at the airport terminal, a new building at Eaglecrest, and significant amount of money for the harbors that they would try to leverage with State Harbor Matching Grants, big renovations at Centennial Hall, some parks restroom facilities, and a renovation of capital transit maintenance facilities.

Airport Unscheduled Funding – This relies on what the FAA is going to do, but \$23.5 million for their snow removal equipment building, so if the Federal Government comes through with that, it would be a big project out at the airport and yet another phase for the safety area.

Unscheduled Funding – This is list that the manager sent to their Statewide Legislative Delegation. The manager worked with the departments and the enterprise entities and came up with a list that went to the Assembly, the Assembly looked at it and ultimately decided not to rank the local requests; he hoped that the delegation would be successful in bringing home funding for some of those projects during the next legislative session. He described the process saying that staff compiles it and puts it out for comment, the Assembly would then take it to the committees (Public Works and Facilities), then forward it to the Finance Committee who adopts the CIP as part of the budget. They just introduced it in Public Works and Facilities and by February 25, 2013, they would have been able to compile the six-year plan as well.

Mr. Medina asked about the Transit Electronic Ridership System under unscheduled funding. Mr. Watt said as he understood it, planning for Transit is difficult because they do not have the data on when people get on the bus, how they pay, when they get off the bus, and this was essentially to get very good detailed information so they could better serve their riding public.

Mr. Watson questioned how the monies were reported in the future years (FY14-FY19). Mr. Watt explained that the one-year CIP would show the money that will be appropriated in this year's budget. The six-year will show the money that is being appropriated this year, plus those departments' goals and it is a bit of a moving target because they are going to be doing their CIP write-up through the end of the legislative session, not knowing if the governor is going to sign the budget or if the airport is going to getting grants at the end of the Federal Fiscal Year. So,

staff tries to represent, as best as possible, that current one-year reality and what the department hopes is going to happen.

Ms. McKibben referenced the Aurora Harbor Rebuild Project FY13 through FY18 list - FY13, showed \$2 million, FY14 and 15 showed \$7 million, she asked how that would change given the funding that they were expected to have in the one year list.

Mr. Watt replied that in the one-year list, they would show \$7 million in the bond, which would be \$7 million in the fiscal year, unless they also get a grant at the legislature, in which case they would include that, and then it would be a question to Docks and Harbors regarding their priorities.

Ms. McKibben asked if the number of the current fiscal year FY14 would be changed to \$7 million. Mr. Watt answered that in last year's CIP, the \$2 million was in FY13 and he believed that there was \$2 million of the old temporary sales tax that they did receive, and they hoped to get \$7 million and \$7 million in the next two years through a combination of the new sales tax and through the State Harbor Matching Grants.

Ms. McKibben pointed out that the list said they got \$7 million. Mr. Watt replied that they did in fact get \$7 million when the bond was approved. Ms. McKibben wanted to clarify that the list coming next year would show \$7 million in the first column, probably \$7 million in the wish list column and they wouldn't know if it was going to show anything for a third year. Mr. Watt said it would show at least \$7 million in this FY14 and that could change through the legislative season.

Mr. Watson also wondered about that because if they had gotten the bond money, why would they be asking for more on the CIP list. He thought that money could probably go elsewhere. Mr. Watt mentioned that a good way to think about it is when the Assembly looked at the new availability of temporary sales tax throughout the calendar year 2012, there were a lot of suitors for that money and the Assembly did its best to satisfy as many constituent groups as possible and in a way asking some groups to provide a more realistic-sized goal.

Mr. Miller brought up an interesting case where a gentleman purchased a piece of property that had been vacant for a long time, he went through the pain and agony of carving out a little chalet-style house up on top of a rock, then he wanted to put his driveway in and all of his neighbors wanted him to put his driveway in, but there was a piece of City property with an above-ground insulated storm drain pipe that was exposed. Mr. Miller asked if the CIP list could have something to help the gentleman.

Mr. Watt responded that it was a small enough issue that something like that wouldn't make it on its own, though he noted that there was a category for area-wide drainage projects, an ongoing project that basically fixes drainage problems around the Borough. Mr. Watt recalled speaking to the gentleman and offering \$10,000 towards some of those costs. The storm drain was on the surface because at the time when the staircase to his property was built, they recognized that there was very shallow bedrock. They could have put the storm drain underground, but it would have been about 6 inches underground before they hit bedrock. If they had done that, it would

have become a problem for the gentleman to put in private water and sewer services up to the lot. Mr. Watt acknowledged that one part of the City was saying must provide parking as part of the Land Use Code and another part of the City was effectively blocking him off, which is why \$10,000 was offered, but the real costs were water and sewer blasting. Mr. Watt added that it was a noble goal to put in a driveway and provide off-street parking for the neighbors, but thought that it was economically not feasible and topographically very, very challenging. Mr. Miller thanked Mr. Watt for the explanation.

Chair Satre appreciated Mr. Watt for walking them through the complex set of projects, funding mechanisms and policy decisions but noted that it would help the Commission tremendously as they go forward towards Comprehensive Plan.

Mr. Watson asked what the timeline would be after it comes before the Commission going forward. Mr. Watt stated that the draft was going back to the Public Works and Facilities Committee on February 25, 2013. The expectation was that Public Works and Facilities would forward it to the Finance Committee and then the Assembly Finance Committee would hear it sometime in March. One role of the Planning Commission would be to assure consistency with the Comprehensive Plan and the other would be more of a policy comment.

Ms. Lawfer said she wanted the Commissioners to begin thinking about 5.16 and 5.17, which talks about the Capital Improvement Program for the next 4-6 years (new proposals in the Comprehensive Plan) - 1) to encourage economic development and 2) focus public investment and infrastructure so as to facilitate private investment.

Chair Satre mentioned that the Commission had expressed interest in being more involved in the longer-term planning process and the need to talk briefly about the schedule for development of the next 6-year plan. Mr. Watt said it was an annual plan and that he would put out a request to all the departments in early December for nominations for projects. Then they take those requests, find available funding and work with the manager's office to come up with a draft. Chair Satre proposed that they have their Planning Commission discussions in October or November, so they would be ready for Mr. Watt when the call for projects came up in December.

Mr. Hart pointed out that Page 288 of the orange document laid out the Standard Operating Procedures for the CIP Planning Function. He read "The CIP sponsoring agency should prepare and make public-related subsidiary CIP studies before its enactment".

XI. OTHER BUSINESS

XII. DIRECTOR'S REPORT

Mr. Hart reported that they were now providing staffing to the Affordable Housing Commission and the Housing Commission had agreed to switch their evening meetings to another day, so they wouldn't conflict with the Planning Commission's meetings. He noted that they had talked to him about some CIP issues which at some point he would bring that information to the Planning Commission.

Mr. Chaney commented that Chair Satre mentioned that they didn't spend much time talking about major or big projects, but he said that was because well-designed projects were easy to approve. Chair Satre agreed.

Mr. Hart added that the subdivision review was ongoing at legal, it would be brought back to the Planning Commission.

Chair Satre mentioned that he had gotten some committee requests and the changes would be made official on March 1, 2013.

XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES

Mr. Watson reported that Public Works met last Monday and Mr. Watt covered the things that were on their agenda thoroughly.

Ms. McKibben mentioned there would be a housing forum scheduled for February 27, 2013, at UAS as part of their duties with the Affordable Housing Commission and she would follow up with further details.

Mr. Bishop asked Ms. McKibben if the Planning Commission could be added to the Affordable Housing Commission meetings' e-mail chain. Ms. McKibben said that the regular meetings were also on the second Tuesday of the month, but they had agreed to meet on the first Tuesday of the month for the next three months.

Mr. Bishop asked where they would be meeting at. Ms. McKibben answered that they typically meet at the downtown library in the large conference room; however, that room was booked for the first Tuesday of the month, so they would have to find another venue.

XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS

Chair Satre said that they had the Comprehensive Plan coming before them. The neighborhood meetings were underway. He didn't think anybody expected them to make a decision in one night. He said he would not be there on February 26, 2013, which is the first time it will be on their agenda. He thought it might be wise for them to take their time to some extent and have staff present the changes on what was going on, present some of the comments from the neighborhood meetings, then open it up to public testimony, let the public provide comments and then continue the item to the next date, which would give the Commissioners some time to digest all the information and make better decisions.

Ms. Lawfer asked if staff would be doing a synopsis of the information gathered. Mr. Hart replied that they would like to take each of the questions, provide a document that would show the questions, where they came from and who they came from, and staff's answer to the question, so there would be a lot of transparency. The Planning Commission would get that document on the first evening.

Chair Satre suggested putting their edits/corrections on an electronic document to save time during the meeting looking for the pages and paragraphs. That document could be given to the other commissioners before the meeting to make the editing process simpler and being as prepared as possible as they take it up to the Assembly level.

Mr. Miller agreed with opening the first meeting up for public comment and continuing the item on to two or three meetings, especially considering the creation of the e-document. He indicated that he would be unable to attend the first meeting.

Chair Satre stressed that they just have to make sure that the entire book reflected what they had done so far chapter by chapter, there was no rush, but encouraged the Commissioners to go back through, reread the whole thing again, and if there were places where the proposed edit differed from what they thought happened after the meetings or if the edits struck them as incorrect, to start pulling those items out, so that they could address them. He expressed some trepidation with the process.

Mr. Bishop expressed his concern regarding public feedback. He wanted the public to be clear that the Commission would not be looking for feedback on things the public wanted done differently so much as whether or not they felt the changes that made were appropriate. Chair Satre acknowledged Mr. Bishop's point and noted that there had to be a differentiation between an update and a re-write of the Comprehensive Plan. The new changes could be incorporated in the next plan update. Mr. Hart said that staff has been mentioning that their presentations and they would certainly say it again at the last presentation at the Auke Bay Fire Station.

Mr. Watson mentioned that he had attended two of the meetings and had heard that message loud and clear about an up-date vs. a re-write. He mentioned that a lot of people preferred to write their comments. He added that the email chain should go directly to the Community Development Department and not among the commissioners.

Chair Satre stated that concerns/questions should be directed to Mr. Chaney and Mr. Hart, for review and inclusion in the packet, so it could be part of the public record.

Mr. Chaney hoped that the comments could be collected from the public and they could perhaps decide which ones were appropriate for an update and which were appropriate for a rewrite. The ones that were appropriate for a rewrite could be put in an appendix and preserved for years down the road, so that they would be remembered when those issues could be taken up again.

Mr. Watson asked about the Committee of the Whole meeting on February 19, 2013 and Chair Satre asked staff what the plan was for the Committee of the Whole. Ms. McKibben referred to the purple sheets with the schedule for the open house meetings and stated that staff was asking for written or e-mail comments to be submitted by February 14, 2013, those will be compiled and presented to the Planning Commission at the February 19th Committee of the Whole meeting with the anticipation that on the February 26th meeting, they might be able to hear public testimony and move forward. Chair Satre asked staff to make sure there was a quorum for the February 19th meeting.

Mr. Medina asked why the project with the UAS mentioned by Mr. Chaney was not on the Consent Agenda. Mr. Chaney replied that it was such a big project that the committee and the public should have a chance to hear about it and it had been a judgment call.

XV. ADJOURNMENT

MOTION: *by Vice-Chair Watson to adjourn the meeting.*

With no objection, the meeting adjourned at 10:07 p.m.