

MINUTES

PLANNING COMMISSION
CITY AND BOROUGH OF JUNEAU
Dennis Watson, Vice-Chairman

REGULAR MEETING
April 23, 2013

I. ROLL CALL

Vice-Chairman, Dennis Watson, 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: Dennis Watson, Dan Miller, Nicole Grewe, Jerry Medina, Marsha Bennett, Ben Haight, and Nathan Bishop.

Commissioners absent: Michael Satre and Karen Lawfer

A quorum was present.

Staff Present: Hal Hart, Director; Greg Chaney, Planning Manager; Beth McKibben, Senior Planner; Eric Feldt, Planner; Jonathan Lange, Community Development

II. APPROVAL OF MINUTES

February 26, 2013 – Committee of the Whole Meeting and March 12, 2013 – Regular Planning Commission Meeting.

MOTION: *By Mr. Miller to approve the February 26, 2013, Committee of the Whole Meeting and March 12, 2013, Regular Planning Commission Meeting minutes with any corrections as provided by commissioners or staff.*

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

IV. PLANNING COMMISSION LIAISON REPORT

Mr. Smith: I've just got three brief items tonight. The Assembly continues to work on the budget. With the exception of this week, we've been having weekly meetings and soon we are going to be drilling down into the detail of the operating budget and the goal is for us to be done by June 15th. The housing panel that the Assembly had put together identifying four groups - the realtors, landowners, developers, and lenders has come up with four or five common themes, things that they would recommend or going to recommend to the Assembly that we implement in

some form and we expect to have that full report to the Assembly, again identifying four or five things that we can implement right away to effect building more housing here in Juneau.

I have informed the Assembly of your work nearing completion on the Comprehensive Plan. The Assembly is looking forward to seeing the changes that have been made, and of course there really were four chapters that the changes were focused on and I did spend some time with Ben Lyman to develop, I think, a pretty straightforward method in a matrix, so the Assembly can go directly to those areas where you've actually made some changes and we're going to hear dialogue, I'm sure, on their interest in a re-write and there are two things in that re-write. It's going to be a smaller document next time and it's going to be easier to understand. It's my hope that the Assembly is going to spend time upfront, telling you, sharing with you, kind of what we see in that new re-write and that's my report.

Vice-Chair Watson: I was at last evening's Assembly meeting and citizen/former assembly member got up and spoke regarding the flood plain maps and had indicated that there was very little communication to the public (short notice), and I wanted to ask you to take the message back to the Assembly at your next opportunity as liaison and advise the Assembly that we started working on the flood plain maps back in 2011. We worked with public notices. We worked through our website. We worked through hard copy letters, e-mails, very thoroughly and our first response from the public was nobody showed up. So, I believe it was Commissioner Miller that asked for a mailing list and the staff mailed out a hard copy letter to everybody that was basically was in the flood plain. At the next meeting, we had more people here than there is tonight and this room is almost full.

We've had consistent communications with folks through public meetings, through meetings with the Planning Commission, Committee of the Whole, and I think just this year, the Community Development Department has had a series of four public meetings. There has been a meeting at the Assembly. There have been two Regular Planning Commission meetings. I would say that we have done everything we can to possibly communicate to the public and based upon the response; in fact I asked Eric if he could give me an idea of how many phone calls he has had on this issue and he said he can't even remember how many he's had. So, I think we've done an excellent job as the Community Development Department and as the Planning Commission on working this information out to the public and being responsive, and if you would share that with the Assembly, I would appreciate it.

Mr. Smith: If I could just ask staff, once the minutes are completed, if this portion of the minutes could be transmitted to me?

Vice-Chair Watson: Thank you.

V. RECONSIDERATION OF THE FOLLOWING ITEMS

VI. CONSENT AGENDA

CSP2013 0005: A City Project Review to remove and replace Aurora Harbor infrastructure.

Applicant: CBJ Docks and Harbors

Location: 1435 Harbor Way

Staff Recommendation:

Staff recommends that the Planning Commission recommend to the Assembly authorization of a City Project to remove and replace Aurora Harbor infrastructure, which includes replacement of floats, the southern gangway ramp, electrical power and lighting systems, water systems, and a new fire suppression system. The recommendation includes the following condition.

1. Prior to issuance of a building permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed and located to minimize offsite glare.

USE2013 0009: Conditional Use Permit for a temporary fifth wheel trailer placed on site as a caretaker residence during construction of a new church.

Applicant: Bethany Baptist Church

Location: 4395 Riverside Drive

Staff Recommendation:

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use Permit. The permit would allow for a caretaker residence in the D-15 zoning district, at 4395 Riverside Drive, for security measures, from May 15, 2013, through October 30, 2013. The approval is subject to the following condition.

1. The fifth wheel trailer, used as a caretaker residence, shall be removed prior to issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for the church.

USE2013 0010: Conditional Use Permit for an accessory apartment to tie into existing onsite waste-water disposal system.

Applicant: Jeffery F. Sauer

Location: 15965 Glacier Highway

Staff Recommendation:

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use Permit. The permit would allow the development of a 400 square foot accessory apartment to be adjacent to a detached garage, on a lot that is not served by public sewer.

VAR2013 0010: A Variance to reduce the street side yard setback from 17 feet to 12 feet for construction of a garage.

Applicant: Jonathan E. Hollatz

Location: 10460 Sundown Drive

Staff Recommendation:

Staff recommends that the Board of Adjustment adopt the Director's analysis and findings and grant the requested Variance, VAR2012 0010. The Variance would allow a reduction of the 17-foot street side yard setback to 12 feet for construction of a two-car garage.

MOTION: *by Mr. Miller to approve the Consent Agenda as read and adopt staffs' analysis, findings, and conditions.*

There being no objection, the Consent Agenda was approved.

VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS

VII. UNFINISHED BUSINESS

IX. REGULAR AGENDA

AME2013 0002: A rezone request to up-zone a 17.95-acre parcel from D-3 to D-5 along Mendenhall Loop Road near the Montana Creek Road.

Applicant: Charles Ramage

Location: Mendenhall Loop Road near Montana Creek Road

Staff Recommendation:

Staff recommends that the Planning Commission adopt the Director's analysis and findings and recommends the Assembly approve the rezone proposal of the 17.9-acre parcel from D-3 to D-5.

AME2013 0004: A rezone request to up-zone a 3.6-acre parcel from D-3 to D-5 along Mendenhall Loop Road near the Montana Creek Road.

Applicant: Duran Construction Co., LLC

Location: 9990 Mendenhall Loop Road

Staff Recommendation:

Staff recommends that the Planning Commission adopt the Director's analysis and findings and recommends the Assembly approve the rezone proposal of the 3.6-acre parcel from D-3 to D-5.

Staff Report:

Eric Feldt, Planner: The application in front of us today is actually two rezone cases for two properties that are located right next to each other off of Back Loop Road. AME2013 0002 is just shy of 18 acres and AME2013 0004 is 3.6 acres. Both proposals are asking to be rezoned from D3 to D5. On the vicinity map on the screen, AME2013 0002 is on the left and AME2013 0004 is on the right. You can tell by the sizes that the larger one is 17.9 acres and the smaller one is 3.6 acres, so as I had said earlier, it's along Back Loop Road and it is close to Montana Creek Road intersection.

On the official CBJ zoning maps, both properties are currently zoned D3, to the left or west the lot is zoned D1, and to the right those properties are also zoned D1. So, as you can tell on the screen, there is no adjacent D5 zoning district areas.

Environmental Elements - Staff has looked at the official wetlands maps and the flood zone maps and there are other maps such as Eagle's Nest maps, but there weren't any identified Eagle's Nest maps this proposal, so the wetlands map and flood zone maps are of interest tonight. Wetlands currently are mapped over both property lines, which means that if any fill is proposed, the applicant would first need to gain permission from the US Army Corps of Engineers. I had mentioned that in the report as well. Prior to the actual building of any structure, which will likely require some fill, the developer will need to delineate on site where the wetlands actually exist. The wetland map is becoming out-of-date and does not show exact detailed wetland areas, so that's why wetland delineation is recommended for future development. Also, part of the larger parcel towards the back is located in a high-risk flood zone and in an A flood zone, and any future buildings that will be proposed to be located in there would have to be elevated above the base flood elevation and the flood zone map does provide a base flood elevation in this area. So, tonight, we are not looking at any building plans because neither applicant has presented any development. They are just looking at a rezone proposal, so these two environmental elements will be looked at in further detail during a future development plan.

D3 Definition and Land Uses - In general, it means three dwelling units per acre, primarily allows single-family dwellings (SFD), duplexes, and accessory apartments. With an approved Condition Use permit, you may have a rock-crushing operation, a mining operation, sand and gravel operations, and other similar Borough-type of operations with a Condition Use permit. In the D3 land use definition, it talks about areas not served by CBJ Utilities. These are usually areas in the fringe where CBJ sewer line has not reached; however, these two parcels are the exception along Back Loop Road. Many other parcels have both CBJ water and sewer. Further, in the definition, it talks about increasing to a higher zone if served with both those utilities where appropriate. The minimum lot size in this zoning district is 12,000 square feet. Under the D5 district definition, it is 5 units per acre; primarily allow single-family dwellings, duplexes, and accessory apartments, so there is some overlap between the two districts. Another overlap, which I had not put on the screen, is that if you own a parcel of land in either the D3 or D5 district, you can have only up to two dwelling units per lot. If your acre is larger than one acre in size, you still cannot have more than two dwelling units on a single parcel. So, if a developer wishes to place or build more than two dwelling units on either parcel, they will have to first subdivide it into smaller parcels.

In the D5 zoning district you may allow common wall subdivisions, also known as zero-lot-lines. With a Conditional Use permit, you may construct a mobile home subdivision, an indoor recreation facility such as tennis courts or basketball courts. So, again, these are required with a Conditional Use permit. They may be denied or they may be approved with many restrictions, limitations, as to not disrupt the harmony of the neighborhood. So, even though it's listed on the screen, it doesn't mean that's an automatic allowance. These are areas that are often served by the CBJ Utilities, so we are again talking about water and sewer, areas that are not out on the fringe, but areas in more urban parts of the borough and the minimum lot size is 7,000 square feet. So, every rezone application, staff examines the proposal against the Comprehensive Plan, so this is the 2008 Comprehensive Plan map, and it is my understanding these maps will not

change with the new Comprehensive Plan; so, what you are looking at on the screen will not change when the new plan is revised.

In the black oval, I have highlighted that the Comprehensive Plan Land Use Designation is Urban Low Density Residential and the parcels are within the red box to the left. Urban Low Density Residential, according to the Comprehensive Plan, is an area dedicated to where densities would be one to six units per acre, categorized as either being urban or suburban residential lands, containing single-family dwellings, duplexes, cottages, or bungalow housing, zero-lot-line dwelling units or things of that nature - again we're seeing some overlaps from the D3 and D5 zoning district designations. Lastly, any commercial should be of a scale consistent with a single-family dwelling neighborhood.

The proposal is consistent with the Land Use Designations since both properties are served by city sewer; they are also located in the Urban Service Boundary Area. The Assembly has generally supported lands that are served by city water and sewer and in the Urban Service Boundary to be more similar to a D5 density. The commercial uses that are permitted in a D5 district such as mobile home subdivisions or indoor recreation facilities require a Conditional Use permit, so again the [redacted] that the Assembly provides is that D5 district doesn't say that we also support all the commercial activities that are also permitted in the district. It's more supporting the need for additional housing, and when you have both city sewer and water, those facilities can accommodate additional housing.

The Community Development Department had scheduled a neighborhood meeting to receive comments about both the zoning proposals and it was held in the Mendenhall River Elementary School nearby in the neighborhood and there were several members of the public that attended and had some concerns about increased density. Some neighbors supported the rezone, other neighbors were hesitant and wanted to see more density. Both applicants were there and they had provided a general loose discussion of wanting more single-family dwelling development in those areas. So, certainly those applicants are looking forward to housing development, anything that would require a major development or major subdivision will come back in front of the Planning Commission and offer another period for public testimony and at that time CDD staff will look into the environmental issues and see how those can be minimized.

Staff has found that both applications are consistent with the Comprehensive Plan, they are consistent with the 2008 Land Use Code and Comprehensive Plan and staff supports, the Planning Commission providing a positive recommendation to the Assembly on both proposals. I do want to mention that the applicant of AME2013 0004 picked up their public notice sign one day late, which means that it makes it an appealable issue or the Planning Commission may choose to reschedule that item, so the applicant can meet all public notice requirements. Staff informed the applicant that we had preferred to later schedule that particular rezone, so they can meet the public notice. They understood the risk of the appeal and they had continued to want this item on tonight's agenda. So, with that understanding, you are aware that because the public notice hasn't been fully met with that particular rezone case, that it could be appealable, but you also have the decision to reschedule it for a later commission date, so the applicant can fulfill all public notice requirements. The applicant for the other rezone case picked up the sign on time

and all the other public notice requirements were fulfilled. So, with that, I will be happy to answer any questions you may have.

Mr. Medina: Based on what Mr. Feldt just said, I would be in favor of rescheduling AME2013 0004 to meet the 14-day notice requirement. As he stated in the staff report, neither applicant has a particular project at this time. So, I don't see a problem with postponing the second one, the smaller parcel, go ahead and approve the larger parcel, but reschedule the second one, so that the public notice period has been fulfilled and then there will be no appeal issue.

Vice-Chair Watson called for the applicant to explain about the project.

Applicant Testimony:

Chuck Ramage: I have been a Juneau resident for about 45 years, retired from the state. I was a planner for the state for 20 years and I was in real estate for 20 years. I handed and made enough packages for everybody because the first page was the one I just did regarding this lot, but what I saw a lot of in the paper and stuff, I didn't feel really characterized the housing market very well, so I tried to apply quantitative analysis, which I thought was needed to all of Juneau to show really what the situation is in numbers and nuts and bolts so to speak and kind of get inside this whole thing and that is on page 2 and 3.

A couple of things, real quick just to kind of clarify - This land was gone over by the Corps of Engineers about 4-5 years ago. I had all three members of the Corps of Engineers go out there for a week and they found that it was pretty much almost all uplands, and that's when they actually changed the designation to uplands. In the first draft, they had no wetlands on it. In the second draft, they had a small portion of wetlands, but the isostatic rebound is so powerful in the Juneau area and that being so close to glacier, the land is rising really quickly. One of the persons interested in developing is not even concerned about the wetlands issue, but I am sure it is better than it was before.

The other thing I tried to do in my paper was to explain just how severe the housing shortage was and I was trying to look at Juneau as all of the totality of Juneau and address it the way a planner would, the way I did for 20 years, working for the State of Alaska.

Let me clear up, maybe one or two things. Whereas you could build too, when you are moving to D5, yes, technically you could put like attached homes in there, but in 1996, the Assembly pretty much emasculated that provision. So, we have not had really any building in D5 for a long, long time because of the way they changed things. Briefly, here is how it works - In D5, a lot has to be 7,000 square feet with 70 feet of road frontage. In the old days, in attached homes, it was 5,000 square feet and 50 feet of road frontage. In 1996, if I remember correctly, the Assembly changed it, so that in order to have an attached home, you had to have 7,000 square feet, the same as a house and they did reduce it; it wasn't 70 feet, they reduced it to 60 feet. The only thing is when you get into D5 zoning, almost all the lots are 70-100 feet. So, you would actually need a lot that was 120 feet wide, which you almost never find, and a contractor is never going to build an attached home when they can build a single-family home in exactly the same

thing. So, we haven't really had any building of attached homes and it is doubtful that any will be built in this subdivision because of that provision unless the City changes it at some point.

Attached homes, one of the greatest ideas I thought we ever had, really hits the middle class in Juneau, but that's another story. This is a really nice piece of land as I kind of outlined in the first page. It has gravity feeds. It has water and sewer there. It has very little overburden. It should be pretty easy to build on and the gravity feeds to the sewer is important. Nice area, it will make a nice neighborhood. I would expect the houses that will go in there, if the Assembly changes it to D5, will be about \$400,000 to \$600,000; that's kind of probably what will go in there, to be honest.

If anybody has any questions on either page 2 or 3 on where I have outlined the dynamics of the Juneau Housing Market, one thing that I would point out real quickly is that, kind of a canary in the coal mine is for 30 years Crow Hill Condos sold for about \$140,000 to \$150,000 at 768 square feet, two bedroom and 1 bath. They ran it for 8-9 years. In the last 4 years, the rents have gone from \$1,300-\$1,500, if you can find one. It's that bad and many people now are having to buy homes or helping their kids buy homes just to have a place to live because there is nothing to rent. That's how severe our housing situation is in Juneau. The Juneau Economic Council, we all probably read in the paper, said there were about 700 houses behind and we have over a 1000 people a year coming into Juneau. We have a 3:1 ratio of homes to people. We have a little over 30,000 people. We have a little over 10,000 homes. So, that means if we've got a 1000 people a year coming into Juneau, we need 330 homes a year just to keep up and then to pick up that 700 homes, you need another 400-500. We have less than 50 lots on the market and that's everything. Those are swamps, cliffs, we've just about built on everything and part of what happened is we went ahead and we built up this valley, but we didn't make any plans for what happens when the valley is built up, although the valley is gone now and the minute you get outside the valley, you've got to add \$25,000 to \$50,000 for any lot. The contractors are not going outside and building, they are not buying lots on the open market because they cannot do it. They cannot buy the lots, do the site prep, and then sell it for anything less than under \$500,000.

So, Juneau has kind of got a situation where they are going to have to what seemed to me being the capital, we have a responsibility to the whole state. I've been through a few capital moves in my time and generally everybody wants the capital to stay here and there is going to need to be a place for these people to live. What I feel is that we need to look at all of Juneau and what we want to accomplish and then the planners need to apply quantitative analysis to it and lay it out that way in order to achieve their goal. I was the State Coordinator for Alcoholism and Drug Abuse and the State Coordinator for Emergency Medical Services, I wrote both those plans. I know how rough politics can be, but somehow we have to leave the politics with the reality of what we're trying to accomplish in Juneau to meet our goals. The crisis that we are in right now would have happened 5 years ago had we not had this depression. We were all ready to go over a cliff. I had two different clients, one moved to Wasilla and one moved to Haines, because I could not find them a single lot to build on. That's where we were 5 years ago. Then we went into this depression and everybody took their mind off of what was going on because we didn't

sell any land for 4 or 5 years. We didn't do any building and during that time, we have a 10% turnover a year, we started building up overhang.

Here's where I think we are right at this moment, for the last two years, we have been clearing the overhang. We were pretty much done with the short sales, we are done with the foreclosures and we have pretty much cleared out the overhang. Spring, that's when we get our supplies, but when this supply is done, that's when I think prices are really going to start to rise, starting this summer. They sell in the spring in Juneau at the time of school year and summer, they do the same thing down below, they sell in the spring and at the time of the summer; so, the Juneauites get first shot. We do get a few people coming in the spring and there is a lot of inventory coming on and as fast as it comes on the market, it's going off and the prices are staggering.

The 3.5% is another thing that's kind of keeping the lid on the kettle here. If we go back to 8% or 9%, then you're really going to see some homeless people in Juneau. It's going to be a disaster. But for the time being, we do have the 3.5%, but once this supply is over within the spring, then we've got these people coming up from down below in the summer and the fall and there's going to be nothing and right now, we are stacked and packed. There is nothing to rent. There is nothing in Juneau; it's that bad. So, our proposal here is just for the 18 acres and probably all that will be built in there, is a very nice upper middle income neighborhood, but I do see a much larger problem in that and I won't get into that. I tried to keep my comments general and I guess that's it. If anybody has any questions.....?

Marciano Duran, I am the other applicant. Just to address Mr. Medina's concern, we were not given public notice. I talked to Eric in the afternoon. The sign was ready and we picked it up the next morning. So, for whatever that's worth, that's what happened; it's not like we're trying to delay or postpone anything.

With that said, on our proposal...and we do have a civil engineer on standby, waiting to see what the outcome is on this meeting tonight and get our designs ready. What we are planning on doing is just a simple subdivision 7,000 sq. foot D5, very similar to what Lone Wolf is (single-family homes). There are 11 lots on Lone Wolf under 7,000 sq. ft. There are 12 lots at 7,056 to 7,171 sq. ft. and then there are 3 lots that are over 8,000 sq. ft. We're right in the middle, so our lots are going to be 7,000 sq. ft. minimum; for single-family homes, we are trying to hit 380 to 410 approximately, trying to get some houses out there for some people that can afford them; but affordable housing is such a hard thing to really interpret, everybody has their different ideas, whatever you could afford, I guess is affordable housing. Anyway, that's pretty much the gist of it. We've got water and sewer, road going in, simple cul-de-sac in the subdivision. Lastly, postponing it will delay our plans.

Mr. Bishop: Marciano, thank you for being here tonight. I am concerned about not postponing it also. If it does get appealed, as it very well may be appealed. The appeal would take drastically longer than rescheduling you for a meeting two weeks from now. So, you're running a pretty steep risk because we can't do anything about it once it is appealed and we can't hear it later and we can't put it off, we can't bring it back up. I just want to make sure that you understand that risk as well; it could be months rather than a couple of weeks.

Mr. Duran: Yeah, I understand. I am appealing to the public. What we are doing is just similar to Lone Wolf and if they're not liking that, I don't know what else I could say. It will delay us and we have to go through the process, but at the same time, we do want approval. So, I'll just leave it up to you guys, whatever you think is best and go from there.

Public Testimony:

Terry Hillmeyer, I live in the valley. I am new at this. This is my first meeting. So, I just have a couple of naive questions. The first question that I have is why do we have to have a development in this town? Every time that there is vacant land, why can't the developers just sell vacant land to people and let the people build their own houses the way they want to. Maybe they want to take 2 or 3 or 4 years to build their house. It just doesn't seem like there is a possibility to do that in this town. Why do houses have to cost \$400,000 to \$600,000? Why does the City want this? I guess what I understand is you want the people in the lower value homes to be moving up into the higher value homes and then that leaves the lower value homes available for other people to move into. Maybe that's the plan. I don't understand that why we have to have developments? Why can't people just have their own lot and build their own houses without having to have a subdivision of houses that are built by a developer and then they have to buy those houses. These are just comments. You don't really have to answer my questions, that's just kind rhetorical. I just don't understand it. It would be nice to be able to buy a lot, a plot of land and build your own house, the way you want to build it.

Vice-Chair Watson: Thank you for sharing your thoughts with us and we appreciate that.

Mr. Ramage, Applicant: I'm glad you brought it up and I can respond I think to her question a little bit.

Over the last 20 years, when I was selling real estate, I've sold a lot of land in the last 20 years and part of what she is responding to is that, it comes back to Juneau's problem again of what kind of land we have. All we ever had was the valley. The valley was a piece of cake. It's a flat glacial, marine, gravel, water and sewer, and all you brought in was your backhoe and you dug a trench and you poured your foundation and there were lots out there and when there are lots you can build it, but now the valley is gone and so where do you really expand to, where are you going to build? I know it looks like there is a lot of land out there, but there isn't.

Part of the reason that we don't have lots and part of the reason we have the subdivisions with the contractors doing it, I do like the idea of having the subcontractors working with the individuals as opposed to PUDs; there is a place for PUDs absolutely, but generally I think that the individual contractors should be able to make the decision, but part of the reason you don't have these lots, that she was speaking about, is because the lots are so valuable. If the contractor gets hold of a bunch of lots, they want to hang on to those lots and they want to build on them and sell and so you then have to deal with that contractor. All the rest of the lots we do have, where we do have some lots, say like if you go out to North Douglas, even places where they have sewer or the back loop, they've got that zone D1 or D3 and that land is so valuable, all you

can build is a half a million dollar house. You cannot build anything under half a million dollars with D1 and D3, which I had brought up several years ago. Those are the facts that they lay out.

I've been reading the things in the paper and I spent a while writing up these couple of pages. I thought about it a lot. I ran over this in my head a million times. I actually wrote a rather conservative document here. I wanted to make sure that I could defend and I think I can defend everything in these two pages. I also wrote the first state plan for Emergency Medical Services, the very first one and the first state plan for Alcoholism and Drug Abuse and then implemented it. That's what I was looking at with your goals, objectives, and methodology, and when I look at the City, from my perspective, so many things could be streamlined. It seems like that the way we are approaching the planning in this town could be done in a more efficient manner.

Just take this thing right here, look at how much time the planners have put into this one thing, are we going to do that, lot by lot, a planner taking three months writing up pages and pages of stuff for every single lot, that's not going to get you from A to Z, I guarantee you that will not get there, so we need to be bold and we need to be dynamic and we need to apply some hard quantitative analysis as to where we are and what we need to do; otherwise, what is going to happen for all the new people? We have to expect that Alaska is going to grow. We are a young robust state and as it grows, we're the capital; like I said I've been through capital moves; that's the one area where everybody in town is united. So, we're going to have to have places for these people to live.

Mr. Duran: We will sell the lot, we will make them available. We've got some other properties that we're kind of addressing her concern. I think it's a legitimate concern. We're trying to get some other lots just out on the market. We don't need to build on them all; obviously we will get them out there.

Vice-Chair Watson: The issue regarding posting of the sign. We understand the dynamics of what took place. What Commissioner Bishop brought up is something very, very important that we as Commissioners have to take into consideration as well as yourself as property owner. If we were to make a decision tonight to approve both of these applications, any member of the public can come in without cost and appeal our decision. As Commissioner Bishop mentioned that could take a considerable amount of time. I'm not indicating that the Commission is going to vote one way or the other, but we do want you to understand that we also have to abide by the regulations and ordinances that are set out for us by the Borough and at the same time try to keep developers and people who are just even doing home improvements that require permitting to make sure that we don't run them a pile of other problems and any member of the public can do so, so we want to make sure you understand that.

Mr. Duran: I appreciate that and I appreciate Nathan what you are saying. The smart thing to do is for us to withdraw, I think and postpone our development and we'll just have to delay ...lots.

Vice-Chair Watson: We haven't deliberated yet. I just wanted to make sure that you understood that, but we wanted to make sure that you have an opportunity to hear that again.

Mr. Duran: One thing Dennis, I should have given a little more notice to pick up the sign than just come and get it now and in less than 24 hours, I did pick it up but anyway.....

Vice-Chair Watson: It happens sir occasionally and we've had this in the past year since I had been on the Commission and other Commissioners have probably shared the same experience and concerns.

Mr. Chaney: For the folks in the audience, I just want to mention, there is a \$250 fee for appeal.

Vice-Chair Watson: I didn't realize that. I thought it was free. I would ask Mr. Feldt, if there has been a precedent where in the past we have actually waived that time requirement.

Mr. Feldt: Waive the sign posting time?

Vice-Chair Watson: With regard to public notice.

Mr. Feldt: We have always informed the applicant of the risk that can be taken when the sign isn't picked up in time. I do want to inform the Commission that once an applicant picks up the sign, it's their responsibility to post it and to make sure that it is visible from the nearest street every single day through the 14-day public notice period. So, the CDB staff informs the applicant when the sign is ready to be picked up, we make it, and the applicant picks it up and then from that point on, it's the responsibility of the applicant. I did contact the applicant numerous times that day but it is where it is so.....

Vice-Chair Watson: I'm more concerned about whether or not there has been exceptions made in the past rather than what occurred here.

Mr. Chaney: Just on past cases, we are not responsible or we do not oversee the public notice time portion of this, so I am personally aware that in the past, there have been times when signs have blown down, were down for a while and got put back up, were stolen, so what I'm getting at is, there have plenty of cases where signs have not been up for the 14-day period, but it is required by code. We do not police it, but if it is shown that it wasn't up for the 14-day period, it is an appealable point, but there have been plenty of cases approved that didn't have perfect public notice.

Vice-Chair Watson: What is the will of the Commission?

MOTION: *by Mr. Miller to continue AME2013 0004 until the next Planning Commission meeting on May 14, 2013.*

Roll Call Vote:

Ayes: Miller, Bennett, Medina, Grewe, Haight, Bishop, Watson

Nays: None.

Motion passes 7-0.

MOTION: *by Mr. Miller to approve AME2013 0002 with staff findings, analysis and recommendations.*

Mr. Miller: I would speak to that motion. I remember, must have been 8 years ago, Mr. Ramage was in the audience speaking to this very same piece of property, when it was up-zoned from D1 to D3, and he had a very eloquent and impassioned plea asking the Planning Commission at that time to instead of being D3 that it should have been D5, and that was back then. He said (I remember this very clearly) “Mark my words, there is going to be a housing crisis in Juneau and we can’t keep making decisions with only having these kind of parcels going to D3.” I agreed with him then and he has been proved correct, in my opinion, now. So, I am very in favor of this up-zone and would like to see it move forward.

Roll Call Vote:

Ayes: Miller, Bennett, Medina, Grewe, Haight, Bishop, Watson.

Nays: None.

Motion passes 7-0.

Vice-Chair Watson: We’ll call this evening’s Planning Commission back to order. Before we proceed with the applicant, we have an application in front of us. I neglected to bring to the Planning Commissioners’ attention that we have an applicant who would like to call in, and that’s something that the commissioners have to approve, and his is the last one in our book here, it’s a variance. I personally don’t see a problem with it, but it does have to be approved. So, can I have a motion?

MOTION: *by Mr. Bishop to allow the applicant to appear telephonically rather than in person.*

Vice-Chair Watson: Do a rough estimate, perhaps 9:30, if that works.

Motion passes.

Vice-Chair Watson called Ms. McKibben to present the staff report on USE2013 0007 and USE2013 0008

Ms. McKibben: Mr. Chair, this is a companion to the Variance 2008 and 2009, and I was wondering if the Planning Commission wants to rearrange their agenda to hear the variances before the USE case.

The Commissioners were in agreement.

Vice-Chair Watson adjourned as the Planning Commission and reconvened as the Board of Adjustment.

X. BOARD OF ADJUSTMENT

VAR2013 0008: Variance to reduce side yard setback from 10 feet to 5 feet.
Applicant: R&S Construction, LLC
Location: Jordan Avenue

VAR2013 0009: Variance to reduce side yard setback from 10 feet to 5 feet.
Applicant: R&S Construction, LLC
Location: Jordan Avenue

Staff Recommendation:

Staff recommends that the Board of Adjustment adopt the Director's analysis and findings and approve the requested Variances, VAR2013 0008 and VAR2013 0009. The Variance permits would allow the reduction of the 10-foot side yards to 5 feet for two new two-storey, 13-unit multi-family dwellings.

Staff Report:

Beth McKibben, Senior Planner: This is a request for two variances, 2008 and 2009, to reduce the side yard setback from 10 feet to 5 feet. This is the location map - this is Egan Drive, this is Jordan Avenue, the Jordan Creek Professional Plaza is over here, the Super 8 Motel is over here. You are familiar with both condos back up to the neighborhood over here, so this is in that same area here. Property owners, R&S Construction at Jordan Avenue in the Professional Center, lots 2 and 3 - these are two separate applications on two separate pieces of property, but the project has been designed as one project. The applicant wanted to keep them in two separate properties for several reasons and we recommended that we do separate cases for each parcel.

There is some potential that the buildings may – one building, once, if it's built, would become condominiums and if the other one had difficulty selling or change their mind, it might be a rental and they may not be in common ownership at all times, so for their own benefit, it's better to have each lot have its own case number and its own decision and findings. But I do want to let you know that it's been designed as one development and that's why we're looking at them together. The area shown as General Commercial on the Land Use Maps is currently zoned Light Commercial. It is connected to water and sewer and it's vacant.

This site plan unfortunately is a little bit difficult to see. Here is one of the lots and here is the second lot. These are the buildings, the footprint of one building and the footprint of the other building. This lot line here is the lot line for which they are seeking a variance. Light Commercial has a 10-foot side yard setback; they would like to have the building 5 feet from the property line and 10 feet apart. We should note that after the staff report was written, it was brought to my attention that there is planned to be an outside staircase. There is an exception in code that allows the exterior staircase that is less than 5 feet wide to be as close as 3 feet from the property line. The applicant will just be moving the buildings over one foot this way and one foot this way to allow for the stairways to be in there and they meet setback exceptions - that's right out of code. So, the variance actually at the end of the day will be 4 feet and 6 feet from the property line.

This is just an example of the site plan without the variance and one of the reasons that the applicant wanted to do that is it allows for a larger area in this part of the lot, personal storage and play area. This is an elevation drawing of the buildings, the two-storey building units on each floor. Staff is recommending approval, all six criteria have been found to be met and we are recommending that the Planning Commission approve the requested variances.

Vice-Chair Watson called for the applicant to come up and explain the project.

Applicant Testimony

Rob Warden, R&S Construction - I guess in a nutshell, you can see what we're trying to do. We are trying to put a condo project together and allowing us to move the two buildings from 10 feet to 5 feet would definitely help in the parking aspect of it, and they are irregular shaped lots, it would help us take advantage of a place for snow and in the summer time, a play area due to the irregular shape.

Mr. Miller: I'm looking at the site plan; in the area where the snow storage goes, there is a dimension on here, squared off of the property line, it says 14.8 feet. So, if you're going to move the building an extra foot, that's going to narrow that up a little bit more. Is that really going to be only 14 feet, is that to a post for that covered porch or is there a roof overhang? If you are going to put snow removal stuff going through there, the question might be, Why not move it over another 3 or 4 feet and not need a variance?

Mr. Warden: I just need to find your 14.8 feet, I don't see where...

Vice-Chair Watson: I think he's looking at option B, not option A.

Mr. Warden: You are correct. This is option B, if we didn't get the variance.

Mr. Miller: So, I guess my point was that's getting really narrow. It's about 20.9 feet and that's option A, but then it's going to move over a little bit more and narrow that down because you're moving it a foot. Is that 20.9 feet to the corner of a post or is it with a roof overhang or...?

Mr. Warden: It's an overhang.

Mr. Miller: It's going to be less than that or is it....?

Mr. Warden: That's a concern when you narrow those up, a car could drive under the overhang, but it is going to be a frame part of that roof where the objective is to shift everything down to gain as much as we can there for flow and safety.

Vice-Chair Watson: In looking at the site and it's probably just an optical illusion, but it looks somewhat like the storage unit directly behind where you are proposing your project has got a lower elevation than the property that you are going to build on, is that an optical illusion?

Mr. Warden: Everything on that subdivision, the design and everything, my brother did all of that and he did the site design for the storage unit. So, all those elevations have been taken into consideration for water from our property line to flow to our storm water. So, whether or not they are at the same elevation or the one lot that's got trees on it, they may appear to be a little bit higher, but once the overburden is taken down and we level that, and obviously by inspections etc. that we are going to have to provide with the site plan and after we do all the grading..., we have to keep our water on our property going to our catch basins. So, I think it will be very similar actually.

Public Testimony was opened but there were no comments offered.

Vice-Chair Watson asked for a motion.

MOTION: by Mr. Miller to approve VAR2013 0008 and VAR2013 0009 and concur with staff's findings, analysis, and recommendations.

Roll Call Vote

Ayes: Miller, Bennett, Medina, Grewe, Haight, Bishop, Watson.

Nays: None.

Motion passes unanimously.

Vice-Chair Watson: Variance has been approved.

Adjourned as Board of Adjustment and reconvened as Planning Commission.

USE2013 0007: Conditional Use Permit for a 13 Unit Multi-Family Building.
Applicant: R&S Construction, LLC
Location: Jordan Avenue

USE2013 0008: Conditional Use Permit for a 13 Unit Multi-Family Building.
Applicant: R&S Construction, LLC
Location: Jordan Avenue

Staff Recommendation:

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant Conditional Use Permit USE2013 0007 and Conditional Use Permit USE2013 0008. The permit would allow the development of one 13-unit multi-family building for each permit.

The approvals are subject to the following conditions:

1. Prior to issuance of a certificate of occupancy or a temporary certificate of occupancy, 15% of the lot must be planted with vegetation or the installation of vegetation must be bonded for.
2. Vegetative cover/landscaped areas shown on the plans submitted shall be maintained with live vegetative cover as shown in the approved plans.

3. Prior to issuance of a building permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed follow up the development. Exterior lighting shall be designed and located to minimize offsite glare. Approval of the plan shall at the discretion of the Community Development Department, according to the requirements at §49.40.230(d).

Staff Report:

Beth McKibben, Senior Planner: This is a request for Conditional Use Permit to USE2013 0007 and USE2013 0008. This would allow two 13-unit multi-family developments. As I explained a few minutes ago, they are on two separate lots and they will have two separate permits, but they have been designed as one single development.

This is the location map, site size is 22,401 and 22,275 square feet in the Light Commercial Zoning District. We have seen the site plan, the front elevation of the building and the side elevation of the building, it is 28 feet or just a smidge over 28 feet, at the peak of the roof, it's well within our 35-foot height limit. Again, it's a two-storey building with units on each floor and one single storey unit on one end, and there is covered parking in front of the building. This is the floor plan. The buildings are planned to be 12,800 square feet buildings - 12 units will be two bedrooms and one unit will be one bedroom in each of the building. Here is the second floor, floor plan.

Staff found in favor of it. It's appropriate to the Table of Permissible Uses, complied with all the public notice requirements, not in danger of public safety and health, and those conditions will not substantially decrease the value or be out of harmony with the property in the neighboring area and is in conformance with the Land Use Plan. We recommend the Planning Commission adopt the findings and grant the Conditional Use Permit USE2013 0007 and USE2013 0008 to allow the development of one 13-unit multi-family building for each permit with the conditions. I do want to note that the vegetative cover shown on the site plan will be slightly different with adjusting of the building to allow for the emergency stairway, but the requirement of code hasn't changed and applicant will have to make sure that that's met. So, we want the 15% of the lot planted in vegetation or installation of that vegetation be bonded for, that the vegetative cover landscape areas shown in the plans will be maintained with live vegetative cover, and that a lighting plan be submitted and the exterior lighting be designed and located to minimize offsite glare. That is the end of my staff report.

Vice-Chair Watson: Thank you Ms. McKibben.

The applicants Scott Jenkins and Rob Warden were called up.

Vice-Chair Watson: Anything to add or you want to bring up on this portion of your application.

Mr. Warden and Mr. Jenkins did not have anything to add.

Mr. Bishop: Do you mind sharing your price point on these things, what are they going to go for?

Mr. Jenkins: We are not a 100% sure, very affordable housing is the goal; I think in the 200 range, but, there are a lot of variables right now.

Mr. Medina: The units on the second floor, will any of those have a loft?

Mr. Warden: No.

Vice-Chair Watson: There is no traffic analysis required for this, but do you know what the schedule is for replacing the Trout Street Bridge.

Mr. Warden: It's being done now.

Vice-Chair Watson: It should give you two access points in and out. Thank you very much.

Public Testimony was opened and no comments were offered.

Vice-Chair Watson: Will of the Commission?

MOTION: *by Mr. Bishop to approve USE2013 0007 and USE2013 0008 with staff's findings, recommendations and conditions and asked for unanimous consent.*

There being no objection, USE2013 0007 and USE2013 0008 were approved.

BREAK: 20:27 TO 20:32 P.M.

Vice-Chair Watson: We will adjourn as a Planning Commission and reconvene as a Board of Adjustment.

VAR2013 0011: Variance to reduce lot width and size requirements to allow subdivision on a minor arterial that does not meet the D-1 lot size to allow a standard lot and bungalow lot.

Applicant: Gary C. Koehler

Location: North Douglas Highway

Staff Recommendation:

Staff recommends that the Board of Adjustment adopt the Director's analysis and findings and approve the requested Variance, VAR2013 0011. The Variance permit would allow for a reduction to lot width and size requirements to allow subdivision with frontage on a minor arterial that does not meet the D-1 lot size to allow a standard lot and bungalow lot.

Staff Report:

Beth McKibben, Senior Planner: This is a request for a variance to lot width and size requirements to allow a subdivision with frontage on a minor arterial, but that does not meet the D1 lot size to allow a standard lot and a bungalow lot.

Mr. Miller: I am going to step down. The applicant is a good friend of mine and I've had some financial dealings with him in the past. Even though they haven't involved very large sums of money, it still is – the code doesn't say how much, if you have any financial dealings, you are supposed to step down. So, we have a quorum here without me.

Vice-Chair Watson: Thank you Commissioner Miller. Ms. McKibben, if you would continue.

Ms. McKibben: It's located on North Douglas Highway, just across from the roundabout, it's here and the property is here. Kowee Creek is along here. This is an aerial photo. I'm not sure that my oval is exactly on the lot. But, it gives you an idea of what we are looking at. Property owner is Gary Koehler; it's at North Douglas Highway, it's 1.4789 acres. It is shown as urban low density to transition to medium density residential, and it was recently rezoned to D18. It is connected to city water and sewer and it is vacant.

The site plan unfortunately is very difficult to read. The property line is here; they are looking to run a property line here. This would be a bungalow lot and meeting the bungalow lot standard in D1, and this would be a regular size lot. What you also can't see very well here is a shared driveway. The applicant has received a driveway permit from the Department of Transportation.

As I mentioned, this is a minor arterial. It's a minor arterial on the CBJ Roadway classification map. About two years ago, DOT reclassified and they downgraded Douglas Highway to a major collector. As I mentioned, this was recently rezoned to D18, there have been a lot of area probably getting into the neighborhood of a 130 to 150 acres of land in that North Douglas area that's been rezoned to D18 in the last 3 or 4 years. So, we are anticipating that while DOT may consider it a collector, that there is going to be significant development and it will be a minor arterial.

Ms. McKibben: I also wanted to mention that at D18, at this size, the lot could, out of the box, with the Conditional Use Permit, he could build a 27-unit building on this site. What he is looking to do is subdivide, create one bungalow lot, that lot would have the bungalow lot restrictions where it would be one 1000 square foot house. The second lot would be a full size lot and I think it's likely less than 1 acre, approximately 16 or 17 units, if I remember correctly, which is quite a bit less than the 27 that could be built today as it is. Staff evaluated it and found that it's complete, that it meets the criteria, and all six of the criteria have been met and staff is recommending that the Planning Commission approve Variance 2013 0011 to allow for reduction in lot width and size requirement to allow subdivision with frontage on a minor arterial that does not meet the D1 lot size standard and allow a standard lot and a bungalow lot.

Mr. Bishop: Can you go back over the collector versus minor arterial again? I understand that if it is a minor arterial, it would have to be that, but you said at the same time it's being designated as a collector by DOT and that the DOT have to stay relative, I understand. We are regulating it as a minor arterial because we believe it will be such in the future?

Ms. McKibben: City and Borough of Juneau has adopted a Roadway Classification Map and we are required to evaluate our street to our road classification map.

Ms. Bennett: On the bungalow lot, how many bungalows are planned?

Ms. McKibben: One.

Mr. Bishop: You stated in the application that it has to meet D1 zoning requirements. I understand that the bungalow lot is meeting that, it is going to be greater than 23,000 square feet, which is meeting the requirements for a bungalow lot. So, the 38,000 square feet for the standard lot doesn't meet the zoning...

Ms. McKibben: I believe that D1 zoning minimum lot size is 36,000 square feet.

Vice-Chair Watson: On Page 3, you've described it as 23,000 square feet on one lot and approximately 40,000 square feet on the other. That answers itself.

Vice-Chair Watson: Thank you. Are there any more questions for staff? If not, Mr. Koehler, Gary Koehler, are you online?

Mr. Koehler: Yeah, I am online.

Vice-Chair Watson: Thank you Mr. Koehler. Our normal procedure is to have the applicant speak to his application. Once he has done that, we will ask for any member of the public who wishes to speak on the item, and then we'll ask the applicant to step back up and either respond to the items or the issues that were raised by the public or provide us with any additional information that you would like to. At this point, if you would like to go ahead and talk to us about your application, is there anything in particular you need us to know?

Mr. Koehler: I appreciate the time to speak to you tonight. The main thing I'd like to let you know is that, I made the purchase on the property with the understanding that it could be subdivided, and that was based on some conversations with the Planning Department early on before I purchased the property. Later I found out that it could not be subdivided without a variance and that was after the purchase of the property. I had purchased the property based on the fact that I would be able to subdivide it because part of my plan in purchasing the property, out of awful lot of funds at this point in time and to try to recoup the cost through being able to basically subdivide, have another piece of property that I could potentially put on the market, and sell to put the funds together to continue to build the bungalow that I am going to be living in.

Mr. Bishop: Mr. Koehler, thank you for phoning in tonight. My question is given that this is a D18 lot and that staff has informed us that you could put multiple housing dwelling units on this. Is this subdivision really meeting your needs?

Mr. Koehler: It would meet my needs, yeah. My needs are to build a bungalow lot for myself, to build a bungalow house that I'm going to be living in when I get into the area, and then, like I

said, to be able to subdivide, have another piece of property that would either be built on by myself at a later point in time or potentially just be sold off, and help recoup some of the cost for putting in the driveway and such.

Vice-Chair Watson: Thank you very much. Other questions for the applicant? Bear with us Mr. Koehler. We are going to ask if there is any member of the public that wishes to speak on this application.

Public Testimony:

Francie Schrup, 3555 North Douglas Highway. My lot is right next door [pointed to map]. So, I came home yesterday and there was a _____ at the top of my driveway, an excavator clearing trees and cutting down. So, I'm here to find out, you know, what the plan was. I do have some things to offer, when the North Douglas sewer project was going to be put through, there was a billing from the City that was based on square footage. On this particular lot, I think that the LID was about \$45,000, but it was determined by engineering staff, not because of the narrow width of the lot, the geology, or the slope, but because it encompasses the ravine of Kowee Creek that it just wouldn't be feasible to build more than 3 units per acre on that lot, and so they reduced it to the minimum requirement that anybody would have to pay. So, it's just very steep narrow wet soft piece of ground. Later, it was rezoned to D18, and there is a lot of logic based upon being able to build 27 units per acre, but it's just hard to understand, you can't really have it both ways. You can't say, we should get a lesser LID because you can't build a lot on it, and then go in later and say well, we should be able to bend all the rules because we could build a lot of places to live on in. Also, there is a lot going on, on this little piece of ground there. I bet the top of my driveway and then the driveway that is going to be is immediately adjacent and exactly right there, is where the main for the North Douglas sewer crosses the road to service the neighbors on the uphill side of the road, so there's that going on. The fire hydrant is right there for fire safety. Everybody feels the need to pull off before they get on to the roundabout, so they can talk on their cell phones So, there's just a lot of busyness in that area. I just wanted to throw that information out there. This is quite a packet to chew on so late at night, but I've been reading through it. I can't really read the site plan, but it looks kind of to me like Mr. Koehler is going build his bungalow on the side that is closer to my lot, is that correct?

Ms. McKibben: On the Kowee Creek side.

Ms. Schrup: And then he wants to subdivide it on the other side and that person could potentially build how many units per acre?

Ms. McKibben: Well, it is D18 at 40,000 square feet; I think it is about 16 or 17 units.

Ms. Schrup: I did note that Mr. King from the engineering staff also had some concerns about the grade, but the applicant was working with engineering, so I would just be really concerned with any development that is close to my property line, because it is nearly vertical and there is shift geology to it, very wet, and there is a history of landslides in the area. I would hope that engineering staff would take that under consideration in granting permits. That is all I have to say.

Vice-Chair Watson: Approximately what size is your lot?

Ms. Schrup: I think it is about maybe 1.75. There is a lot of development in the area. Currently, will be surrounded on all three sides.

Vice-Chair Watson: And your property goes down to the highway?

Ms. Schrup: Yes.

Vice-Chair Watson: Thank you very much.

Mr. Koehler, our rules of order are the applicant can now make additional comments, respond to concerns of the public, so Mr. Koehler, the microphone is yours.

Mr. Koehler: Thank you very much. I guess I will start with the driveway access and I will just say that I did extensively go over the issue for the driveway access with DOT and they are aware that the driveway access would be very close in those proximities, so they looked at that in their permit approval and granted permit approval for the placement of where I intent to put that driveway access and that is not on my property and that is also not on Ms. Schrup's property, that's within the DOT driveway right-of-way.

The sewer LID, I mean, I can't speak to the sewer LID, I just purchased the property, and I think the sewer LID that I got is like \$3000 or something, and of course I will just hang that over a period of time, as allowed. I would assume that when I subdivide, the subdivided lots would have its own sewer LID that would come with it, which would increase the cost higher than the \$3000 currently, just for the lot that as a single.

As for the grade of the lot and it being steep, the driveway access, I am working with a friend of mine who is currently doing the clearing of the trees and everything in the area and we are confident that the grade for the driveway will be less than 8%; it has a **switch back in** and we are following the contours of the land to allow for the grade to be of minimal amount and staying less than 8% to bring this up to basically the plateau where the house will fit.

Of course, we're going to be very careful when we lay out the house site and leave as many of the trees as we can, especially along that southern edge where it goes off steep, so as to keep the soil intact in those areas and stuff, to keep from having any sort of runoff issues or any landslide-type issues, as she describes her concern is. We are very mindful of that and will ensure that those type of things won't happen.

Lot width - It is a narrow lot, but even with the subdivision, it will still meet the width requirements and standard minimums for both lots when subdivided. I think I covered pretty much all of her concerns.

Vice-Chair Watson: Thank you Mr. Koehler. Any questions for Mr. Koehler by the Commission? Mr. Koehler, before we vote, we have six Commissioners hearing this variance

requirement for approval by the Commissioners, it is not a majority, it is five Commissioners to vote in the affirmative, so you are aware of that as you hear the roll call here in just a little bit.

MOTION: *by Mr. Bishop to approve VAR2013 0011 and adopt the Director's analysis and findings asking for unanimous consent.*

There being no objection, VAR2013 0011 was approved.

Vice-Chair Watson: Mr. Koehler, thanks for staying up so late.

Mr. Koehler: Thank you for allowing me to talk.

XI. OTHER BUSINESS

XII. DIRECTOR'S REPORT

Hal Hart: Well, two items tonight. First one is, we're both glad and sad at the same time. We are going to be losing a person here that has been very helpful to me, Greg is going to be stepping into the Lands Manager position. We will hopefully make decisions rapidly as to how we are going to replace that position, I'll keep you posted. I'm hoping you won't have any disruption in good service to the Planning Commission.

The second item is that we had a kick-off steering committee meeting with Nelson Nygaard today. They have taken on the task of updating our transit plan. One of the things that will be coming to you will be a discussion of potential joint meetings with the Assembly to see how the first couple of months of outreach is going and what we're hearing back. That would be in early June. We'll get more information to you. I will be keeping you in that loop and sending you some e-mail, so that you can track it or if you want to go to some of the meetings or the outreach effort. They are meeting this week; they met yesterday. One of the first meetings was with the University of Alaska and in this process, they are going to be involving some students, they are going to be doing a lot of surveying; looking at the system overall and given that we don't have a lot of money to spend, where we can make serious improvements to the community as the community grows, so there are some obvious things. As you know, we have the new library and there are some areas that are not served by transit currently. There is the whole ferry terminal area that should be served better out there. There is Alaska Glacier Seafood out there as well. Another area that was brought up, was looking at Home Depot and that commercial area, how to serve that over time as well. The focus of this is an update to the transit plan. Five years and we will keep you in that loop. I just think it's a really important opportunity to tie land use with the transit in this town. As we see a lot more housing coming up, we are going to see a lot more I think in multi-family housing as well as different kinds of residential options that we haven't seen here before. I think you're going to start seeing some of those come on, but tying it back to a good transit plan. So, you have an alternative to the car.

One of the things that both Greg and I discussed today was how to show that transit investment is a strong overall investment in our community. I think this process will do that. We have some of the highest ridership numbers for a community of our size anywhere and this team that's

coming up to help with this process is.... they are very excited to be here. They really feel this is a great opportunity for their firm and they are going to be trying to take it as deep as they can and get public input.

Mr. Chaney: Well, I wanted to mention that the appeal of the Armory Gun Range was denied, the decision of the Planning Commission was upheld and that it's official; the Mayor signed the document. So, that one is done. We are still facing the appeal of the gravel extraction at Lemon Creek, so that will be an interesting hearing. I just thought I'd mention that and just say it's been a pleasure working with you all and I'll probably be back, but it'll probably be more as an applicant.

XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES

XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS

Ms. Bennett: I went to the American Planning Association meetings in Chicago mostly for the content. I didn't attend the planning commissioner meetings, because I wasn't there on the Saturday before the regular meetings. But, I have got a lot of notes and I thought if anyone was interested that I would just type up my notes and circulate them, so that you can all benefit a little bit from my experience and it was very, very worthwhile. There were some really good discussions - Chicago is coming up with a cultural plan and I thought that was kind of an interesting idea that we may or may not want to pursue with the various new buildings that are being constructed and there was quite a bit of talk about light rail and the benefits to the community from light rail. So I became more of an advocate than I was before. I will write up my comments.

Vice-Chair Watson: I'll ask the director what would be the appropriate process to distribute Commissioner Bennett's comments.

Mr. Hart: She should send them to our office and then we'll distribute from there.

Mr. Medina: Just a request. If we could receive by e-mail notice of the appeal, I'd appreciate that. Thank you.

Ms. Grewe: I second that about notice of the appeal in particular the lemon Creek one. I have something I just want to mention quickly. I've been thinking about what I miss about the prior director and when we had roll call votes, I always appreciated how Dale Pernula seemed to randomly start in different places around. I think it keeps everybody on the toes if you do random calls, because we'd get into the rhythm of voting and kind of anticipate how people would vote; I mean it's fair to the public.

Mr. Hart: That would be fine.

Mr. Haight: I just spent a weekend in Portland, and I do periodically, I marvel at some of the culture and the quality of living that they have in Portland. The thing that I always tune into are the little communities that are thriving in different parts of the City as opposed to some other cities that I've been to, which are primarily suburbia and they don't have the community. They have just the city center, which is often times a black hole. As we were sitting here and listening

to the testimony for Montana Creek, this came to my mind. Here we are building and encouraging another suburbia, but where is the community, where is the focus in that area, and it has an opportunity to have a community there. They have the school, they have the recreation, where is the community and where can they focus that. As we start thinking forward in our future as to planning, how can we make that a little more enhanced with maybe just little pods of light commercial for cafes and small retail, that type of thing. Those are my thoughts.

Vice-Chair Watson: Good comments and I think probably the best example is when we had to really address the Auke Bay area, that kind of worked out of control on us.

Mr. Miller: I've thought for a long time that that area out there would be a great place to have a little mom and pop store, a day care center would probably do amazingly well, an indoor recreational area - something like the tennis court thing, park and ride. My eldest daughter lived in Portland for several years and I got a chance to go visit her a lot of times, and you are right, but it isn't just the neighborhood and the homes, it's also all of these little businesses and stuff that make that, and that's really a part of it that we don't do a whole lot in Juneau.

Mr. Bishop: I echo Ben's considerations and thoughts on that. I was excited when I heard that we're looking at having a new transit plan coming up, because I think when we start considering putting communities together, that we should have a real emphasis on public transit, and I think that's what some of the main developments that we've been seeing in the western states has been - It's been transit-oriented developments, the new phases. So, I guess I would encourage our staff to work very strongly with private landowners to incorporate them in the transit plan as well and try to put together some transit-oriented projects, because I think that a lot could happen that way. In particular, I think of the area beyond ____ Bakers near Cinema Drive. I think that area is prime real estate and just ripe for the picking. I think if we were to work with them and work on putting the transit area in there, I think that that would really facilitate a real wonderful little center in the middle of the valley. On the same note, I think that we as commissioners and as staff really ought to seriously look at rezoning that area. It's D18 and I don't think it's appropriately zoned. I think it should be zoned mixed use and I think it would facilitate that process much better than it would as strictly residential, I don't think it's appropriate for it to be just strictly residential. I think that it would be much better as a mixed use district and would facilitate transit-oriented development for that. So, I guess I would encourage staff to look at initiating a rezone on that.

Ms. Bennett: I just wanted to mention that there is this committee that's working on community revitalization and one of the thoughts that they have been promoting, is a light rail from the 16B Dock up and around and to the Willoughby district. Once the 16B Docks are paid for, then the money from cruise ship passenger fees would be utilized for building that. So, that's already being thought about.

Mr. Hart: One of the things the technical advisory committee is looking at is maintaining that circulator, so that the downtown Willoughby will be served by something; how can we do that at this point, which is kind of the forerunner to - as we build density in the area, do things that you're talking about.

Mr. Chaney: I just want to mention that the overlay map from the '80s is still in effect. The Back Loop Road has an area that is good for a convenience store, it's an overlay, it already exists; it could be done at any time. So, you don't have to do anything, you don't have to invent anything, you don't have to change the zoning, it's still in effect, just nobody has tried it. And the other area that you were discussing is MDR in the Comprehensive Plan.

Ms. Grewe: Unless I misunderstood Mr. Ramage's comment, I think he said in his testimony, Juneau is gaining a 1000 people every year and I do not believe that that's true.

Vice-Chair Watson: I think that came from economic development...

Ms. Grewe: He said it came from JEDC, but either he misread, but it's not a 1000 every year, I wouldn't want anybody walking out of here thinking we have that growth rate and we need to start accommodating it. We want to grow at a nice rate and we're gaining bits and pieces here and there, but not at that rate.

Vice-Chair Watson: I have one comment before I ask for adjournment and that has to do with the highway, the collector versus the arterial, and I did some research in this about two years ago when we were looking at an application. To this date, I still believe that what happened when the State of Alaska sent out letters to all the boroughs, cities around the state that they were in the process of reevaluating arterials and collectors, the City and Borough of Juneau did not respond to that request and nor did they respond to a follow-up request. So, therefore, they left it the way it was. In other words, they decided in their mind it was the collector. I brought that to Mr. _____ attention, but nothing has been done and I still think at some point in time, that's something we need to address. It causes confusion and I happen to think that the State of Alaska should have the authority to do what they think is best, they are far more and better equipped to deal with highways generally, but that's only an opinion.

XV. ADJOURNMENT

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

The meeting adjourned at 9:13 p.m.