

MINUTES

PLANNING COMMISSION
CITY AND BOROUGH OF JUNEAU
Michael Satre, Chair

REGULAR MEETING
March 26, 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 7:00 p.m.

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

Commissioners absent: None.

A quorum was present.

Staff present: Greg Chaney, Planning Manager; Beth McKibben, Senior Planner; Eric Feldt, Planner

Chair Satre proposed some changes to the agenda, such as taking up the items under the Board of Adjustment first. Discussion will follow with an informational presentation on the new flood maps, the CIP review, and the last item on the agenda will be the continued review of the Comprehensive Plan. He called for objections to modification of the agenda. There were none.

II. APPROVAL OF MINUTES

- February 19, 2013 – Planning Commission Committee of the Whole meeting.

MOTION: *By Mr. Miller to approve the February 19, 2013 PC COW minutes.*

There being no objection, the minutes were approved with minor edits from Commissioners or staff.

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

IV. PLANNING COMMISSION LIAISON REPORT

Chair Satre noted that Mr. Smith could not be present for this meeting, but he sent some brief notes. Chair Satre read Mr. Smith's e-mail, 'The Assembly Committee of the Whole will be taking up the budget weekly on Wednesday nights starting April 3rd until June. There appears to be a reasonable consensus in the Assembly that they will address just over a \$2 million shortfall and they will work hard to remove the small mill rate increase that was passed in last year's budget. Also at the Committee of the Whole is an evaluation of the City Manager. At the present time, the Mayor is pulling members to learn of their preference for an evaluation tool to be used and whether or not to use a third party contractor to coordinate the effort'. The e-mail included an update on the ad hoc committee, the housing panels are winding down with two remaining groups to be heard from, the landowners and Building Industry Association (local builders). Mr. Smith's email also mentioned that the Assembly was looking forward to the Planning Commission completing their work on the Comprehensive Plan. The Assembly hopes there will be an executive summary component to that presentation. Chair Satre said that hopefully Mr. Smith will be able to address all of these items at the next regular Planning Commission meeting.

Adjourned as the Planning Commission and reconvened as the Board of Adjustment.

V. BOARD OF ADJUSTMENT

VAR2013 0006: A Variance request to reduce the required 20 foot front yard setback to 13.8 feet for a one car garage.

Applicant: Dale Whitney

Location: 3621 Mendenhall Loop Road

Staff Recommendation:

Staff recommends that the Board of Adjustment adopt the Director's analysis and findings and deny the requested variance.

If the Planning Commission elects to amend the findings and approve the requested variance, the following conditions are recommended.

1. The applicant shall submit a plan for decommissioning the existing driveway on to Mendenhall Loop Road approved by CDD staff prior to issuance of a building permit for the garage.
2. Prior to issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy, for the dwelling, the driveway accessing Mendenhall Loop Road must be removed.

Mr. Miller stepped down for the item due to a conflict of interest.

Mr. Bishop questioned whether the variance was necessary and asked for discussion prior to the variance regarding the topography issue and whether that is a reasonable way to propose this project without the variance. He asked for a definition of topography, stating that to him, a creek running through a piece of land is a topographic feature of the land and definitely a constraint in

the property. Mr. Bishop asked for clarity on how that does not impact the development characteristics of the property and act as a qualifying characteristic of this property.

Mr. Chaney answered that this was discussed very carefully and addressed briefly in the staff report. He stated that the proposal before them is to subdivide the property, so the resulting lot will not have a creek setback issue at all. That will be on the next property over. As a result, this land meets all dimensional standards and is a flat piece of land. The property next to it will have a creek and will have that constraint, but it will still have a buildable site. With that consideration, it was decided that 49.25.430(4)(H) did not apply.

Staff report:

Beth McKibben, Planner, mentioned the request to reduce the required 20-foot front yard setback to 13.8 feet for a one-car garage. Last summer, the applicant requested a variance to the D1 lot standard in order to continue to have back-out parking onto Mendenhall Loop Road and that was denied. This is a new proposal. It is located at the corner of McGinnis and Mendenhall Loop Road. Addressing the map, she noted that the red shows the proposed new lot, if the subdivision is finalized. This lot, being on the corner, is subject to a street side yard setback and a front yard setback.

The existing house meets the 20-foot setback along McGinnis and the house is approximately 18 feet from the property line adjacent to Mendenhall Loop Road, which meets the street side yard setback. Ms. McKibben stated that the proposed single-car garage would be 13.8 feet from the adjacent property. A new driveway would be installed and the garage on the existing building would no longer be used as a garage and the driveway backing out into Mendenhall Loop Road would be decommissioned. An aerial photo of the site was presented. She discussed a series of photos that were supplied by the applicant which offer insight as to what is going on around the proposal.

Ms. McKibben concluded by saying that staff is recommending that the Board of Adjustment adopt the Director's analysis and findings and deny the variance. However, if the Commission were to amend the findings and approve the requested variance, the following conditions are recommended: 1) The applicant shall submit a plan for decommissioning the existing driveway on to Mendenhall Loop Road approved by CDD staff prior to issuance of a building permit for the garage. 2) Prior to issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy, for the dwelling, the driveway accessing Mendenhall Loop Road must be removed.

Ms. Bennett opined that the analysis did not support a denial. Ms. McKibben stated that there is one finding that would have to be amended if the Planning Commission were to approve, which is Variance Requirement No. 1.

Mr. Watson referenced Page 4 of the report, under comments, '...that the plat notes are not sufficient and a decommissioned driveway could still be used/parked on'. He noted that in the past and probably in the future plats will be relied upon to make stipulations but this was the first time he had seen the state do that. Mr. Watson asked if there is any special reason for doing this or if there was a new person. Ms. McKibben did not know if there was a special reason or if it is

a different person, but she believed that the conditions that have been recommended would address those concerns.

Mr. Medina questioned what would be involved if the driveway was decommissioned. He wondered if it could be ensured that it would not be used as a driveway/parking in the future.

Ms. McKibben did not believe the driveway was intended to be used for parking. The applicant would install a new driveway in another location. She did not believe the property was wide enough to provide access the other way. She understood that the applicant would remodel the existing garage basement to other living space. The applicant may be better able to answer this question.

Mr. Chaney stated that typically, in these situations, it's left to the Engineering Department to look at the site and evaluate how best to decommission it. He noted that sometimes, depending on the topography, some sort of barrier can be used, such as large shot rock or logs, or the extension of a ditch.

Chair Satre added that DOT could put in a curb the next time they do improvements.

Public Testimony:

Dale Whitney, 3621 Mendenhall Loop Road, stated that as a requirement of the subdivision application, Engineering has required that he put some kind of a barrier so that cars could not enter the driveway. Mr. Whitney was planning to use large boulders. Eventually, he would like to put in a fence.

Mr. Whitney mentioned that he had come before the Commission last summer with what was his Plan A, which was to subdivide the property and build a new house that would access McGinnis. The variance requested before was to leave that existing house the way it was. That was denied.

Plan B was to build a separate building with a free standing garage that had an accessory apartment in it, with 2 or 3 garage bays. He confirmed with the Planning division that he could do that. It would not require any variance. He could do it as a matter of right. In that case, all of those garages and the apartment would use the existing driveway and all of these would have access onto the Loop Road. It would not create as much value, but would be inexpensive and easy to build. After observing the site during snowy conditions and how dangerous it was to plow the driveway, he decided against this plan.

Plan C, he had asked about building a two-car garage along McGinnis. He explained why the garage was important for him saying that he has had some experience selling houses without garages and found that when listing a house without a garage, the buyer will ask if a garage can be built and if it can be explained that one can be built without a problem, the buyer will likely buy the house.

Mr. Whitney spoke of a house he had up on Gastineau that had been on the market for years. There is just no room because there is a mountain behind there, making the addition of a garage

impossible. The closest he ever came to selling it was to a man who actually got a bid to dynamite out part of the mountain and put in a garage. However, when the bid came in at \$500,000, he declined it. Mr. Whitney wanted to have a garage or at least be able to build a garage before he does anything.

Mr. Whitney was told that it would take a variance to build the two-car garage. A lot of effort was put into looking at the drawings in an effort to come up with something that would work. Initially, it appeared that if he would reduce it to a one-car garage that would be permissible and would not need a variance. In that case, he could have subdivided the property, built a new house, built a one-car garage, sealed off the access onto Loop Road, and could have even put an accessory apartment into the existing garage, which would have created three housing units – all as a matter of right. That plan was looking really good, until it was realized that the house is not perfectly perpendicular or parallel to the road. At the end closest to McGinnis, it is 20 feet away; at the other end of the property, it is only 18.8 feet, which meant that could have not been the front yard; thus it is those 14 inches that have him requesting a variance.

Mr. Whitney did note that he was only asking for a one-car garage, in an effort to compromise and keep it on a smaller scale instead of asking for a two-car garage. He disagreed with the finding that there is an injustice to other property owners. He thought that it is true that everybody has to follow the setback rules, but if that created an injustice, which made it impossible to get a variance, then there would be no condition under which a person could get a variance. He thought that a variance should be granted as long as somebody could show that they can meet the other criteria and there are not particular problems. Mr. Whitney stated that it does create a greater compliance because other property owners are not allowed to access Loop Road and if he were building a new house, he did not think he would be allowed to access Loop Road. He felt he was actually coming closer to what other property owners are allowed to do than he is now.

Mr. Whitney pointed to the map to a little area where his lot joins his immediate neighbor and said that it was a little bit different than most front yard D5 situations. In most neighborhoods, there are a series of front yards with landscaping and a driveway. In that situation, if somebody is building a garage out into the yard close to the street, it disturbs the character of the whole neighborhood; it does not look right. He described how the property was laid out, with Loop Road on one side, the bridge crossing the creek going down McGinnis ...and noted that there was only one property owner who was directly affected. He presented a photograph of the neighbor across the street, pointing out a fence and a shed that had been built by him right up to that path, which he thought may not have been properly permitted. He did not have a problem with that but noted that it was not a typical front yard landscape and therefore, he did not feel like he would be taking away from the ambiance of the neighborhood.

Mr. Bishop asked Mr. Whitney, if there was a purchase of land or if the mark was missed by 14 inches, and if there was a right-of-way purchased (along the Back Loop Road) that brought the required 20' setback down to 18.8'. It looked to him like the builder tried to meet a 20-foot setback off of Mendenhall Loop Road. He noted that there had been purchases over the years to

widen the right-of-way and wondered if that is the way it actually ended up becoming a substandard setback.

Mr. Whitney did not know how it happened. He had acquired the land in a foreclosure auction and had to evict the prior tenant. The house was built in 1958, which was before statehood.

Mr. Medina queried if this variance were to be approved, if Mr. Whitney agreed to the two conditions that staff has recommended.

Mr. Whitney answered that he would agree with those conditions, noting that closing the driveway is a requirement of the subdivision anyway. Engineering also required him to put up a \$10,000 bond and they will not give that money back until the plan is completed. The Certificate of Occupancy will not be given until the conditions have been met.

Ms. Bennett wondered if there are other properties in the neighborhood that were foreclosed upon or that are in substandard condition. She asked if that was characteristic of the neighborhood.

Mr. Whitney replied that it is improving. He referred to the photograph, noting that there is one house that is actually collapsing and surrounded with junk. There are trees growing from the roof; it is a mess. He referred to another house, which was in very poor condition and also full of junk vehicles in the yard. That one was sold in an IRS auction and was renovated. The contractor did a great job and had made enormous improvements. He thought it was on an upward trajectory.

Public testimony was closed.

MOTION: by Mr. Watson to approve VAR2013 0006 with staff's findings and recommendations and ask for unanimous consent.

Chair Satre commented that the recommendation was to deny, so adoption of a new finding for Number 1 to approve the variance will be needed.

MOTION: by Mr. Bishop to approve Variance 2013 0006 and adopt staff's alternative conditions for approval and change the findings Number 1 that it does meet justice to other property owners.

Mr. Bishop felt that it met the intent of the law. The 20-foot setback on the roadside is a de minimis encroachment. The one on the other side of the street, the side yard setback is completely meeting; it has gone beyond and is actually 13.8 feet, it is 8/10th of a foot greater than what is needed. Essentially, that one is making up for what is missing on the other side. He thought that the intent of the law/regulation is to preserve yards and those yards are being preserved. This situation is making a public improvement, taking the driveway off of Mendenhall Loop Road and putting it onto a safer area.

Mr. Medina spoke in favor of the motion, stating that this will support public safety and welfare will be enhanced by moving the access from a minor arterial to a residential street.

Ms. Lawfer also spoke in favor of Mr. Bishop's comments and noted that there had been no public comments with regard to anybody opposing it as an unfair justice.

Ms. Bennett spoke in favor of it as well. She thought Mr. Whitney has provided good commentary that this is a neighborhood in need of improvement. He was willing to come back and seek another variance to be able to add housing and improve a lot that was seriously depleted. She felt Mr. Whitney's neighbors will applaud his efforts to improve the community.

Chair Satre called for further discussion on the motion. He asked for any objection to the motion. Seeing none, Variance 2013 was approved with the new findings and conditions.

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

VI. RECONSIDERATION OF THE FOLLOWING ITEMS

VII. CONSENT AGENDA

VIII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS

IX. UNFINISHED BUSINESS

X. REGULAR AGENDA

AME2010 0009: Informational presentation concerning adoption of new flood maps.
Applicant: City and Borough of Juneau
Location: Boroughwide

Staff Report

Eric Feldt, Planner, stated that the City and Borough of Juneau has been participating in the National Flood Insurance Program for the last 30 years to help locate and map flood hazardous areas in the Borough, coastal areas, river areas and inland lakes. Many communities in the State of Alaska have been participating in the National Flood Insurance Program for a long time to locate hazardous areas. The program provides not only free flood insurance rate maps to locate these hazardous areas on the map, but also public flood insurance. This program is administered by the Federal Emergency Management Agency (FEMA). Through this program, the City and Borough has received flood insurance rate maps and a flood insurance study every 15 to 20 years; this year marks that time. In the last year and a half, the city staff and FEMA have been working together and reviewing the draft maps that have been posted online under the city webpage in an effort to make the maps more accurate.

When the CBJ adopted the first national flood insurance rate maps in the late 70's, they also required flood regulations to be adopted along with the maps - the two main regulations were to

simply elevate the building above the base flood elevation, which is the high water mark and strengthen foundations in case water, during a 100-year storm event, does impact the foundation of a building or a house, it would be able to withstand those forces. Through FEMA, property owners and renters may receive flood insurance; however, this is a requirement for federally backed mortgages/loans and thus there is a lot of animosity with adopting maps due to some conservative ways that the high-risk flood zones are drawn i.e. paying for flood insurance when doing a refinance or buying a new home because flood insurance is expensive.

New flood maps have been drafted to replace the 20-year-old flood maps (which were very difficult to read) and give accurate flood zone determinations. The new maps provide a very clear way of looking not only at a vacant parcel, but also a developed parcel on a flood map. Mr. Feldt pointing to the downtown area, referenced an existing 1981 flood map, no buildings were shown and some roads just disappear. He also described where the high risk and velocity flood zones were (waves 3 feet or higher during a 100-year event). He noted how the new maps facilitate easier location of buildings, roads, and different flood zones – zones that start with the letter A and V represent the 100-year flood event or where flood insurance has to be bought when getting a federally backed loan.

Someone that may not have been in a zone V or A that will be moving into a zone V or A will have a more difficult time financing their home, because they now are going to have to pay for flood insurance. He presented the same flood map overlaid onto an aerial photograph. The old format was a hard copy. The new maps are, not only easier to read, but can be overlaid onto a zoning map, and aerial photograph. City staff can easily tell if a building is in an A or V flood zone. The new draft flood maps that came out about a year and a half ago went through not only a lot of vetting between city staff and FEMA, but also the public. City staff was able to locate properties that were going to be put into a zone A or V and sent out a notice stating that. People attended the Planning Commission's follow-through, which was well attended. Last week, the CDD sent mail out to the public whose properties which will be put into an A or V zone or that will be removed from an A or V zone.

There are probably more properties that are removed beyond the 180 because City staff does not have the time or the resources to examine every building that could be taken out. Flood insurance covers a building; it does not cover land. The negative aspect is that 160 property owners will be paying for flood insurance.

The Auke Bay area, which is currently in a zone A, will be moved to a zone V. The V zone has wave action and because of that, it has the ability to undermine the soil/material underneath the building and it can do damage against the building if the waves hit it. Flood insurance is higher in a V zone than in an A zone. What that means to an Auke Bay coastal resident property owner is that if their building continues to be in a A zone or will be in a V zone with the new maps, they will likely have to pay higher flood insurance.

A 2005 aerial flood map photograph of the Auke Bay area was shown. There will be buildings put in the velocity flood zone and there will also be buildings that will be taken out of the velocity flood zone as well. During the 2011 meetings, the Planning Commission received many

public comments and staff compiled all those comments and unfortunately only one comment provided sufficient data for FEMA to accept to actually review to make the draft map more accurate. What that allowed staff to do, under FEMA supervision, was to look at the Mendenhall Mall area, which is the area where the data was provided.

City staff spoke with FEMA to expand the area reviewed. Surveyors went out to the site and found the base flood elevation and the flood zone was actually much smaller than what was mapped. That entailed the removal of 35 homes and five commercial businesses from the A zone. FEMA agreed with the survey data and made that change on the draft map. Per FEMA, changes to the draft map can no longer be made. They are under a tight deadline for the City and Borough to adopt the maps. Efforts can still be made to to remove a property.

The City and Borough has new LIDAR data, which creates a topographical area modeling system of the Borough. This data can be overlaid onto the existing flood maps to see if there are any areas that are actually higher than what is shown. A survey crew can be hired to survey the land. FEMA has what are called Letter Of Map Amendments, or LOMA. Those three are ways that the draft map can be made more accurate after it has been adopted.

Staff has come up with a tentative adoption schedule and in about a week, staff will present the same schedule to the Assembly and then following that week, several neighborhood meetings will be started and comments will be gathered. Those comments will be taken to a Committee of the Whole Assembly Meeting to inform the policy makers what the neighborhood feels about the new maps. Then, it will be brought back later in April to the Planning Commission and have another Committee of the Whole meeting to discuss what kind of changes need to be made after the map is adopted. There will be tentative future work sessions in May and June between the Planning Commission and the Assembly. An adoption date is tentatively being made for some time in June. The deadline that FEMA has provided to make all these changes is August 19th. This tentative schedule has been made in the hopes that if there are any issues, those could be solved right away and build some lead time and flexibility. He concluded by saying that they could talk about the schedule, talk about what the maps mean, what A and V zones mean; there were no staff recommendations, it was strictly informational.

Mr. Chaney added that they will have to amend the flood ordinance in Title 49. One of the things that will be talked about in these meetings is that the maps cannot be changed without updating the Land Use Code unless they want to go through some extraordinary federal action, such as through Congress because it is federal law. The zoning ordinance will have to be changed. The zoning ordinance currently allows for fill in velocity flood zones. FEMA does not allow fill in velocity flood zones. FEMA has been letting it go for all these years because there are a lot of errors in the current maps. The only thing that FEMA allows for a foundation system in a velocity flood zone is a piling-type system, - shot rock etc. is not currently allowed. There may be some negotiation with FEMA, but ordinances as well as the maps need to be discussed.

Chair Satre noted Mr. Feldt's comments regarding avenues by which adjustment of the maps could be made. Chair Satre went on to ask what the process would be for someone who realized,

upon evaluation of their property, that something was wrong and how a Letter of Map Amendment would be obtained.

Mr. Chaney explained that the LOMA process was for private property owners more often than for government agencies. Any private property owner can apply for a LOMA, but FEMA wants the maps to be adopted, and then they will process LOMA applications. People can get their applications ready and do the draft maps, but there has to be data to back it up such as survey data etc. There is a process and that possibility, however discussions have been had with FEMA for a long time about this, but they are not very flexible.

Ms. Grewe noted that the number of homes that had been removed were significant and asked what data the Mendenhall Mall area residents had presented to FEMA.

Mr. Feldt answered that FEMA was presented by City staff, a very limited survey of where the façade meets the ground at the mall and the little doorway was the deciding factor. It was a struggle, but ultimately FEMA was convinced. A survey crew did go out and survey the land.

Mr. Chaney clarified that FEMA had established a comment period and CDD staff was unclear about exactly what the comment period was. Through due diligence on Mal Menzies' part, he managed to turn it in just before the deadline. That was accepted and then all of the comments that came in afterwards, when staff really figured out what was going on, were considered too late. FEMA would absolutely not discuss any of the concerns that were submitted after their comment deadline. They did use the LiDAR in the area that had an "axis of anomaly". The flight lines did not knit in together properly, which created artificial waves in the data set. Mr. Chaney referred to this as an "axis of anomaly" running through the data. He further stated that if they were able to provide on-the-ground surveys, and it proved that Mal Menzies' anomaly that he had shown by the mall, actually extended down toward Vintage Business Park.

Mr. Watson commented that LOMAs were not cheap to do, they cost somewhere around \$2200 for a basic one, a surveyor has to be hired and it goes through a very lengthy process, for the most part, pretty unsuccessful without tremendous backing from the borough.

Mr. Miller asked for clarification regarding different elevations, he referred to slide.

Mr. Feldt responded that it is calculated by the lowest horizontal member of the building.

Mr. Chaney clarified that you can't have a foundation below-grade in a velocity flood zone, you have to be on pilings, and so the pilings are vertical members, but the lowest horizontal member of the building has to be above the base flood elevation, so the waves could roll under the building if there is a flood. So, if you build a slab on grade or a foundation wall, that's out of compliance, but if they extend the flood zone into your already existing building here, you're non-conforming, but you wouldn't be allowed to build new that way.

Mr. Miller went on to ask in an existing building, whether the first horizontal member is at the bottom of the floor joist or at the top of floor joist.

Mr. Feldt responded that if it is an A, then it is the top; if it is a V, it is the bottom.

Ms. Lawfer referenced the currently 387 policies, which were spoken of, in the Borough. 180 are being removed, and adding a 161. Is that in both zones, A and V?

Mr. Feldt answered that was correct.

Ms. Lawfer asked if there were any that moved out of A into V.

Mr. Feldt responded that the properties in Auke Bay went from an A to a V. He stated they did not go beyond that.

Ms. Lawfer queried about the cost of flood insurance. The document notes \$400 to \$4000; is that based on property value?

Mr. Feldt stated that is based on many variables.

Mr. Feldt spoke regarding the LOMAs that Commissioner Watson brought up. The city staff is very familiar with the LOMA process. It does not always have to require elevation data. It is a free application for FEMA to review. More complex applications, such as a letter map revision, are not free. Elevation criteria has to be submitted. Since City staff is readily available to discuss it with local property owners, having a local connection instead of having a property owner call FEMA is a great resource. He has personally reviewed many LOMAs successfully, and he is educating himself on what FEMA wants to see when they look at a LOMA. It does not always have to be extensive and it usually takes about a month to two months.

Mr. Haight asked about the allowances that Mr. Feldt spoke of for the A and V zones.

Mr. Feldt replied that the use of pilings for a foundation is stated in the local regulations and FEMA regulations. FEMA provides the minimum framework regulations for the community to adopt in the National Flood Insurance Program. The local community can adopt more stringent criteria if they choose to. The ability to fill in a velocity flood zone is not allowed in FEMA minimum regulations; however, it is allowed in Juneau regulations and FEMA is aware of that and that allowance will be struck out.

Mr. Chaney clarified that FEMA wants Juneau to get rid of it. A discussion may be had on whether Juneau will do that or not. It is in FEMA regulations, but right now in Juneau's regulations, there is a pressure release valve that says, "If an engineer or architect certifies the fill will withstand predicted forces of the velocity flood, you can build on fill." FEMA has not allowed that in any community nationwide, so they definitely do not want to allow Juneau to do it, but Juneau still has it.

Ms. Bennett lives on the Mendenhall River and got one of those letters. She asked for a show of the picture of the Mendenhall River and if it was a likely requirement for everyone living on the river.

Mr. Chaney replied that everyone that owns riverfront or waterfront property of any kind, by definition, part of their land is in the flood zone. The question about insurance is whether the building is in the flood zone. He too owns property on the Mendenhall River and part of his land is in the regular flood zone.

Ms. Bennett asked how that was determined. Mr. Chaney replied it was based on this map.

Mr. Feldt stated they looked at this map and then they were able to look at a higher pixel rated picture through their GIS Program to get a more accurate and easy-to-see image.

Mr. Chaney referenced the new map, noting it is based on topographic data, which is overlaid onto air photos. Individual houses, their location, and their footprints can be picked out and it can be seen whether they are in or out. From an administrative perspective, these are vastly superior to what they currently have. In order to administer this program, the new map will be much more accurate and consistent. However, the modeling that was used is more aggressive and, in most areas, the flood waters are modeled higher than they used to be.

Chair Satre asked what the underlying data was which was used for the topography and how was the LIDAR data constructed; how were the indexing of their GIS System and aerial maps done. He gave credit to the technology, but noted that the source of error needs to be acknowledge when putting this together.

Mr. Feldt commented that FEMA knows that these maps are not infallible.

Chair Satre called for further questions from the staff.

Mr. Watson stated that this has been a long process. He is glad to see it come to an end, even if it is not going to be positive for everybody. At least they have some incredibly accurate data compared to what they had before.

Chair Satre noted that they would be updated on the processes.

CSP2013 0003: Planning Commission review and discussion of CIP and project nomination
Applicant: City and Borough of Juneau
Location: Boroughwide

Mr. Chaney informed the Commission that Mr. Watt would not be attending tonight and apologized for any inconvenience.

Staff Report:

Beth McKibben, Senior Planner, spoke regarding Commissioner Watson's written comments. She wanted to make sure that everyone was aware of the comments.

She gave a PowerPoint presentation and stated it was no different than the one she gave about a month ago. Without going through the whole presentation, she specifically mentioned that the staff report she had done reviewed **post** projects could be funded in fiscal year 14 and 15 for consistency with the Comprehensive Plan. The table [in the report] identifies various policies and standard operating procedures that might be considered to be appropriate to that particular project.

Where there are blanks and says N/A e.g. Prism which is the computer program that they are using to manage information, was missing in the Comprehensive Plans to talk about computer programs and city business, but it did not apply; that is how the evaluation goes. The CIP is an annual process and it involves all the various City Departments and Commissions and has a list of priorities for funding. There are various funding categories, which were not talked about last time – the City Manager's recommended priorities, the Six-Year Department Improvement Plan, General Sales Tax Improvement, the fiscal year, the area-wise sales tax improvements, temporary one percent sales tax improvements, marine passenger fees, port development fees, state-marine passenger fees, and water enterprise fund with water enterprise fund in bonded projects.

She did point out in the staff report, that two years ago the Planning Commission's priorities were the ORV park study and the Seawalk. The Seawalk is still programmed in for funding. The study for the ORV Park is underway and should be near completion, so that is not listed for funding this year. They have listed funding for actual improvements to trail construction for that project. She discussed comments that were made last year with regards to finding the projects to be consistent with the energy efficiency policies of the Comprehensive Plan.

Chair Satre thanked Ms. McKibben for working through the list and working through their policies. He noted that one or two policies cover a large majority of the things that they do. The Planning Commission has, over the past few years, taken much more of an interest in being part of the CIP plan. Realizing there is very little that they can do on the issues at hand, they are trying to keep an ongoing discussion of how they start to include projects in the out-year plan.

He called for questions or concerns about the way staff has worked through the CIP list for the upcoming year and ensured that they were supported by policies in the Comprehensive Plan.

Mr. Watson expressed concern regarding the **TVDs**. He commented regarding the airport and Docks and Harbors having a **TVD**, but asked for the reasoning behind these.

Ms. Grewe thanked Ms. McKibben for the presentation and the how helpful it was to the Planning Commissioners on the CIP as it relates to their work. She queried where CDD fit into this, in particular, the neighborhood plans that they have talked about. She asked if that was further out than two fiscal years or how do they get those on the list. She generally is not involved with municipal budgeting but knows it has been priority for the Planning Commission

and one of her personal priorities was more neighborhood planning. She asked if they were further out into the future. She asked if they are not even on the radar for this, how they could get them in the queue.

Ms. McKibben understood that these are generally larger projects than a neighborhood plan might cost. She deferred to Mr. Chaney regarding how the Community Development Department budgets etc., works into the CIP.

Mr. Chaney clarified if the question meant funding neighborhood plans as a CIP item.

Ms. Grewe said that she was talking about just funding these subarea or neighborhood plans; if it was appropriate for the CIP process or if it should be somewhere else.

Mr. Chaney explained that traditionally, the CIP has not funded planning efforts rather, it has been used for building tangible things. He said that the plan for now for funding neighborhood plans is to fund them out of their operating budget at the Community Development Department which is good, except when conflicts with other things arise. Neighborhood plans are the first things to get set aside when there is a big rush of construction projects, which is the current situation. The Auke Bay plan is being set aside just due to the sheer volume of other things.

Ms. McKibben pointed out that some of the other departments and divisions did not have planning-type studies programmed into the CIP e.g. the ORV Parks Plan was programmed into the CIP and some of the work that had been done by the Land's Division for evaluating City-owned property that they had talked about last year was programmed into the CIP.

Ms. Grewe asked if the Willoughby plan was programmed into the CIP.

Ms. McKibben said if it was, it was programmed in before she got involved in reviewing the CIP.

Ms. Bennett shared the same concerns that Commissioner Watson had. One of the things she was considering was the planning process in terms of when different street improvements are put in motion. She mentioned the Ladd Street redo that is several years out and yet there is a whole shopping center of several different buildings right next to Ladd Street that has come up and the Paradise Cafe has moved in, it's becoming a very busy place; Ladd Street is right next to it. It might make more sense to change the date on Ladd Street and move it up a little bit to coincide with the activity that is going on in that area. She was also wondering about making the DOT work that is being planned for Lemon Creek too, to make it more pedestrian and bike friendly. Some of those other Lemon Creek projects are sort of oblivious to what DOT is doing. She referred to Mr. Watt's comments regarding the sea walk and how they were trying to redistribute some money so that the park for the whale would be ready in time for the whale and wondered how flexible that would be. She stated she was very much in favor of one of Commissioner Watson's comments regarding some of the excess funds being reallocated to the North Douglas crossing. She wondered why the child and adolescent mental health wing currently has 5 million allocated, but the project date has been pushed out and she questioned why that was.

Ms. McKibben apologized for not being able to answer the question about why it is pushed so far out. She assumed there was probably not enough money to build the facility that they are looking at. She wanted to clarify Ladd Street, asking if Ms. Bennett was thinking of Dunn Street.

Ms. Bennett responded that Ladd is just down, right next to the Berners Improvement, one of the streets off of Berners.

Mr. Chaney mentioned that the second crossing would be funded by taxpayer funds through the CIP. The second crossing was on the ballot to be funded through this process and it did not get approved. He was not sure how appropriate it may be for the City to start allocating these funds for that purpose when the voters actually voting against it. He stated that was a policy question.

Mr. Watson spoke regarding three-for-one matches regarding projects. The priority on some of these projects in the airports does not reflect that three-to-one match. He commented that Mr. Watt mentioned that they do score and consider them, but yet when looking at the CIP list, he did not see where that showed up. Chair Satre replied that ultimately, that is something that the Assembly has to work through.

Mr. Bishop had a question regarding the process and what their goal was for tonight's meeting, whether they were going to put together a Planning Commission list of priorities.

Chair Satre opined that there is very little that can be recommended on the CIP that they have for this upcoming fiscal year. These are projects that have been set in stone and have been approved through various years of bringing forward. They might have some recommendations like they did last year, such as making sure things were compliant with their energy policy, but that is about as far as they can go. He thought it would be educational to get Planning Commissioners' thoughts and ideas out for future years, so they can begin to put together a packet to hand off to Mr. Hart, Mr. Watt, and others for consideration. He commented that there are too many priorities for the Planning Commission to get to in one meeting. Their efforts tonight will be more focused on getting some listings that people have and have those ready to go, or they can continue to submit them to staff and develop that packet of Planning Commission ideas that can be worked on in the future. He suggested separating any questions or comments from this upcoming fiscal year CIP versus the next stages.

Mr. Bishop stated his own thoughts wandered toward trying to be self-serving in so much that he would like to see something done, such as what Commissioner Grewe has indicated - he would like to steer them towards neighborhood planning and subarea plans. He thinks there are numerous examples of whether the CIP has been used for planning efforts and he thought that they should put a strong word in for that for the future down the road. Financial resources will be needed to do subarea planning. It is a critical element in terms of meeting their own goals at the Planning Commission.

Chair Satre agreed with Mr. Bishop and noted they can add that to their recommendations. In a follow-up to Mr. Bishop's process question, he addressed Ms. McKibben and/or Mr. Chaney,

asking if they need a motion from the Planning Commission that outlines the policies that they have listed support this and comments regarding things to consider for the coming years may follow.

Mr. Watson addressed Ms. McKibben, commenting about FY14, specifically referencing Number 2 item on Page 3 of the CIP book - Lift/Mountain Operation Improvements, Eagle Crest. Eagle Crest is an enterprise board and he wondered why they are requesting \$300,000 worth of CIP money. A comparison would be the hospital or Docks and Harbors for 2. He was not comfortable with it being on there and did not agree it.

Chair Satre asked if that was part of what the voters had authorized this past fall. Ms. McKibben replied that it was.

BREAK 20:23 to 20:33

Chair Satre reconvened the meeting. He stated that Ms. McKibben and staff have asked for a recommendation from the Planning Commission for the CIP list with the supporting policies and move forward. Ms. Grewe brought up the importance of subarea and neighborhood plans. Mr. Bishop has ensured that they were going to include that as one of their recommendations going forward and Chair Satre had some proposed verbiage on that.

Mr. Watson brought up the articles that The Empire has been writing on the Willoughby District. He thanked The Empire for the attention they are paying to it, the way it was coming out, how well written it was, and certainly getting plenty of attention from the public.

Chair Satre commented regarding one of the things he was trying to wordsmith along the lines that Mr. Bishop had brought up. 'If we move forward with recommending the projects in the current CIP as being supported by the Comprehensive Plan, we would also add a recommendation that the Planning Commission has identified subarea and neighborhood planning efforts as one of our priorities for the Community Development Department to accomplish. We believe that funding these planning efforts through the CIP list underlies their importance to the Commission and to the community and we encourage the addition of CIP Funds in the upcoming fiscal year for FY2014 CIP list to properly identify and encourage these efforts'.

Mr. Bishop thought Chair Satre's comments were excellent. He added 'supporting community development efforts'.

Chair Satre thought it would be good to continue their recommendation from last year's developed CBJ projects to be completed with energy efficiency in mind to follow their identified policies. He asked if that would work for Ms. McKibben.

Ms. McKibben replied that it did and stated that she could figure something with regard to Chair Satre's wordsmithing.

Chair Satre pointed out that they have had many discussions about subarea and neighborhood planning being their number one priority moving forward. The way to highlight that importance is to specifically allocate capital funds for these projects as opposed to simply waiting for operating funds to become available. Chair Satre asked if there were any other recommendations along Planning Commission priorities that they have talked about over the last year or so that they would like to add to the recommendations on this year's CIP.

Mr. Haight followed up on Mr. Chaney's comments regarding the second crossing. He thought they will still have to bring this back to the attention of the Assembly even though the voters voted it down previously or voted down the funding for it, he did not know if that entirely meant that the voters were against the crossing. He suggested encouraging the Assembly to promote and consider funding for further research and planning for that second crossing.

Mr. Bishop thought that if they were going to go there, it would not be a bad idea that they also include and continue the development of the Pioneer Road into West Douglas.

Chair Satre stated that they now have four recommendations from the Planning Commission: continue the previous year's recommendations that all CBJ projects will be completed with energy efficiency in mind and stating that in the policy; talk about the priority for subarea and neighborhood planning and underlying their importance through identification funds in the CIP process; identify the second crossing and the extension of Pioneer Road out to West Douglas as priorities.

Ms. Bennett asked if they were going to talk about Commissioner Watson's list.

Chair Satre replied that he wanted to make sure that they are not trying to put every project that they are advocating for in this recommendation, but instead are creating a dataset of projects that they think fulfill the Planning Commission's mission. When these lists are being actively submitted in the fall, they will already have an ordered packet of things that have been identified through their conversations. It has been a struggle to find the right entry point into the CIP conversation. He thinks they are just about there. He wanted to make sure they are pointedly going after funds for the planning process and then also looking at the high level recommendations that they want to support.

Mr. Miller did not recall if it was on the CIP that they had made recommendations or if it was another avenue. He remembered that several years ago, they talked candidly with street maintenance about bus stops and bus stop maintenance. He recollects that year they asked for the funding to be appropriated through the CIP process. He is not completely sure if that happened or not. He stated it has been working. They have been increasing the number of bus stops and maintenance has been much better. People are using those bus stops every day and he thought they have done a good job. He suggested giving recognition for the good work in hopes that the funding for this continues.

Mr. Medina agreed with Mr. Miller's concept. He did not recall if that recommendation was made through a CIP list or not. Mr. Miller replied he cannot remember. Ms. McKibben wondered if it was through the Non-Motorized Transportation Plans or the Transit Plans.

Mr. Watson commented on one CIP Program that seems to have worked its way down the list, the Eagles Edge Water System. He thought it is important and should be at least moved up to the fourth position in 2014. He believed it was going to be an LID. That water system allows water lines to run under the houses. There are no water meters. He stated it was just a disaster waiting to happen. He thought it would be higher on the list.

Ms. Bennett asked if it would be under Public Works. Mr. Watson replied that it would, under Water Utilities. Ms. Bennett stated Eagles Edge on Page 19 was Priority 8. Mr. Watson noted that it seemed a little low for the urgency that is needed.

Mr. Watson shared some of his thoughts saying that the first four bullets under Streets are important. Right now, they know the problem on Cordova Street. One of his suggestions was to take a look at David Street South to Forest Edge; it can be punched through. A member of the Assembly wanted to know why they had never looked at it. He discussed where the roads connect and then turn to John and runs down to the highway. There are two separate roads there that could then take traffic away from going down Cordova and move it a little bit further south. Then, traffic can come back onto the highway where there is less traffic going.

The other suggestion Mr. Watson had on that was presented through Public Works two years ago, about building a road coming off Pioneer Street, going past Mr. Coogan's new apartments, looping up, going over the creek, and then coming back down on the north side of the bridge. He has not seen anything in the way of new streets on the CIP list for the last several years. There have been street improvements, repairs, etc., but they have not done anything. He noted that the State is not going to do it for them.

Mr. Watson noted that there were a few more suggestions on the document. Specifically, he referenced that there is no stump dump. If they are looking for a mini boom in housing, there is no place for these builders to take stumps. Taking the stumps to the landfill is terribly expensive and the only other place right now is the old sandpit lake out along Montana Creek Road, which has been the subject of a lot of complaints from Montana Creek regarding some really bad odors coming out of it. The likelihood of seeing that used extensively for a stump dump might not happen. He deferred to Commissioner Miller for any thoughts on that.

Mr. Miller commented that Mr. Watson was right on the mark.

Chair Satre spoke about being well prepared for project submittals as these lists get generated. He asked if a spreadsheet/database with summaries could be created from Commissioners' lists so information can be kept in a more useful and accurate fashion. This would facilitate better evaluation of the data, and allow for easier prioritization.

Ms. McKibben thought this was a great idea, stating that evaluation of the list could possibly be done in August.

Ms. Grewe shared her perspective as a Planning Commissioner in reviewing the CIP. Every year they look at this document and talk about things they would like to see changed in the Borough. Every year, she stops and evaluates her role in the process. She stated this is essentially the City Manager's recommendations for how tax dollars should be spent in the Borough. She referenced a line in the front that says they should review it to make sure that it is in conformance with the Comprehensive Plan. In addition to that, she reviews it and looks at the project within the context of whether they are really going to move the community forward with continued economic development. For specific things like street projects, she trusts the Engineering Department and the City Manager's office. There are things about the physical infrastructure in the Borough that she would like to see changed, but does not necessarily feel it is her role to propose that. She felt that things like subarea planning and such should be institutionalized as an activity and involved in processes such as the CIP program. She commented that there is a fine line in what their input should be and what it should not be.

Chair Satre thanked Ms. Grewe for bringing that up. He stated that many commissioners over the years have taken a very different approach. Some folks have been high level and some folks have been very detailed. He tended to agree with Ms. Grewe on a lot of points, but he also thought that through their charters, the Planning Commission has the ability to recommend projects. Whether it is high level or an extremely detailed level, that is, at least, still something they can review or potentially Engineering can take it.

Ms. Bennett stated that when the CIP plan is built to make sure that they address the obstacles to housing being built like streets, sewers etc. She stated they were responsible for leading the way toward the implementation of the zoning that they have approved, and looking at the streets that are actually holding it up. The same is true with the stump dumps; those are both situations where there is a drag on plans that they would like to pursue. It is a goal of the community to increase the housing stock and yet the orientation of the CIP just more or less pacifies the whole community in terms of whose street is getting repaired. She noted that maybe they need to point out that there are other suggestions that merits consideration based on whether or not the other decisions that they are making, such as zoning and policies that they are working on. She questioned whether the CIP is contributing to that direction that they are suggesting.

Chair Satre said that Commissioners see their role in this process very differently. Some of these things that Ms. Bennett suggested need to be implemented in their Comprehensive Plan, so that then those priorities are listed. Over the past few years, this body collectively has said they want to be more involved, which is not always an easy task. For example, it is not known if they are simply listening to the loudest voices in each neighborhood or if there is a balance of people and equipment and ages of certain streets. There are a lot of things that go into developing the Comprehensive Plan. He thought they were doing a good job, acknowledging that they are always going to have different viewpoints, but they are finding an entry point; they want to be part of the process; they want to be consulted. These things that Ms. Bennett brought up in terms of supporting their priorities for development of certain areas, they can get those in at the right time. They can talk about the planning activities that Ms. Grewe has brought up, and talk about specific street projects that Mr. Watson brought up.

He stated they would never get through a list of multiple priorities on CIP projects. He suggested making sure they continue having conversations, getting those ideas out there, addressing priorities, getting specific projects, but ultimately tonight, they need to get back to saying, "Is the existing CIP supported by the Comprehensive Plan?" They have some base recommendations that are out there. He asked if there is anything else that they want to add to, other than following the energy policy and talking about funds for subarea neighborhood plans for the second crossing and the Pioneer Road.

Ms. Lawfer added comments regarding Page 15 of the six-year plan. It talks about building maintenance and it has about a million dollars each year for building maintenance; however, it never defines what buildings those are. There are schools which are in the planning process for deferred maintenance and slight upgrades. When a building is built, it is known that eventually maintenance will be required.

Ms. Lawfer did want to plan so that Juneau does go forward; however, it's not just the \$3 million to build a building, there will be maintenance in addition to that. She was often concerned by deferred maintenance; it gets deferred to a vote or something else. With regard to the capital improvement plan, she wanted to see what it would take for regular routine maintenance and replacement. She wondered if that is something that can be combined so that one could look at what will need to be done with regard to a budget, so that one could look at what is the new, what is the additional, and what may be needed in the future, and what will be involved.

Chair Satre asked if Ms. Lawfer was looking for a Comprehensive Plan policy talking about lifecycle building costs including deferred maintenance, or something along those lines.

Ms. Lawfer spoke of the policy and the fact that they are going to look at it in the planning process. Then, it is going to be an integrated capital improvement plan. To her, when they are looking at that, they need to look at not only three million to build, but what costs may follow. Especially, because they were looking at a five-year capital improvement plan.

Chair Satre addressed Ms. Lawfer, stating maybe it is even something along the lines of them encouraging the funding and the completion of deferred maintenance projects for whatever policy it may be that would support that, and encourage consideration of maintenance costs in the planning and funding of projects.

Ms. Lawfer agreed and thought it started out with the school district and the Assembly in their joint meetings. What was coming before the Assembly in the past was getting bonds out. It was almost as if it got to a point where the buildings were about to collapse before a bond measure was passed. She voiced concern regarding these types of things. It seems like every vote that they do is a deferred maintenance. If it were possible, then they could look at what is coming on new and what that may need down the line with regard to how they were going to maintain something new for Juneau.

Mr. Watson stated that the hospital and the school district were not part of the building maintenance referred to on Page 15. In his experience in public works, this covers a host of issues. He is not necessarily a believer in deferred maintenance. He thought it would be a

monumental task to provide that type of information in a document such as the CIP. He thought it was a good idea, but that this may not be the place for it. He thought that could be provided, in this case, by Public Works to the Public Works Committee and be brought forward. He did not see how it could possibly fit into the CIP. Memorial Hospital has its own budget. So, what is being looked at is just the City government itself, not Docks and Harbors or the airport or anything else. His biggest comment on CIP is that he has seen street projects that have been on the CIP list for 15 or 20 years and they are still on the list, and they are on the out list. He would like to see why that was not accomplished.

Mr. Bishop felt very strongly that they needed to concentrate their efforts, and not dilute their message to the Assembly. He suggested putting the higher priorities in front of them. He thought it would be better to have more frequent interplay between the departments of the City that are specifically tasked to the chores that are being looked into at different times throughout the year. He referenced Chairman Satre and agreed they should put together the list and follow up on it on a regular basis, whereby they could have an exchange with the Department of Streets and the Engineering Department regarding things that they have been discussing, things that they see as problems that are not being addressed which need to be taken care of to support their city functions and developments. He urged them to not go too far in pushing specific issues that they have with missing links, but to concentrate their message on the higher function needs that they see with planning efforts, so that they can get to the areas that need to have the development pointed out. Mr. Bishop thought putting together the subarea and neighborhood plans, and concentrating the methods by which they are really missing these aspects in their community would give them a stronger ability to point out to the Assembly why these projects are so important down the road.

Ms. Bennett thought what a lot of people are saying is that the capital improvement budget should not be all about buildings; it should also be about maintenance of those buildings, and structure in some funds so that bonds are not necessary for deferred maintenance, which is what was done the last time. She noted a lot of disagreement in the public about that. Ms. Bennett spoke about deferred maintenance and why it was not already paid for and why sales tax had to be added in order to come up with the additional funding. She asked about planning for expansion of the bus system, which would address some of the issues around city revitalization and fewer cars downtown. Those kinds of softer issues do not get as much of a priority as buildings. There are a lot of other things that need to be done in order for the community to run smoothly and be more efficient.

Ms. Grewe agreed with Commissioner Bishop's comments about not diluting what their priorities are. She spoke regarding the Borough planning priorities and noted they should bring higher priorities to planning. As for her, that would be the subarea/neighborhood planning. In addition, she wants to add a Borough-wide economic development plan for consideration. Perhaps politically, that is too much at this moment in time, according to the Comprehensive Plan review thus far. Further study of the second crossing and analysis is critical for economic development. She suggested continued consideration of that. She admitted restraint of her thoughts regarding this to planning and economic development for the community and the larger Borough. With that said, she feels like sometimes when they delve into what they are calling

their “pet” physical projects, one is almost stepping on the toes of Assembly members, because that is the role of the Assembly versus them. There is a distinct difference there. So, unless the physical projects really impede economic development or Borough planning, she suggested trusting in their locally elected leaders and the City Manager to manage the Borough. Ms. Grewe stated that Ms. McKibben had done a great job of outlining the policies in the Comprehensive Plans. She noted the role of the Planning Commission is not necessarily to push things that they feel are personally important to them, but to further planning for the Borough.

Mr. Watson wanted to clarify so that there was no misunderstanding of his list, especially because he had heard a comment regarding pushing personal agendas. The Director of Community Development asked them as a group to provide items that they thought were important to the community. Mr. Watson looked at what he thought were important issues that have come before this group over the last six years, and while he does not disagree with Ms. Grewe, they are part of the Planning Department and to say that they rely on staff is certainly important, but he thinks they also rely on themselves. None of these items listed are in any kind of priority. It is their responsibility to look and listen to the public as they come through. He stated that he had certainly done that over the last six years. He stressed the importance of continuing to do that.

Mr. Watson realized that issues have just been ignored. Just as recently as three meetings ago, drain water coming down onto the street was discussed and still no solution. The list that he proposed was presented with as much of the Community Development Department commissioners comments as possible. He suggested putting in writing the things one believes in and present it. Do not always rely on the comments from the staff to go forward.

MOTION: *by Mr. Miller to approve CSP 2013-0003.*

Mr. Miller added a short list of projects to the CIP that would include the subarea plans and economic plan and the further study and education of the public for the second crossing.

Ms. McKibben spoke about a recommendation from last year for energy efficiency and consistency with Policy 6.112 and asked if that was to be included as well. Chair Satre replied that he would like that included.

Ms. Lawfer asked about the subarea planning process.

Chair Satre stated that, as part of their recommendation, Ms. McKibben would forward to the Assembly that the Planning Commission has identified subarea/neighborhood plans as a priority effort for the Community Development Department. They recommend allocation of fiscal year 2014-2019 CIP funds for these efforts in order to underscore their priority and importance to the community. Identifying these planning efforts in the CIP list will ensure their funding and timely completion.

Mr. Miller moved that CSP 2013-0003 be approved with the following short list: subarea/neighborhood plans and economic plan, the second crossing, the Pioneer Road to West

Douglas, and the energy efficiency to a standard for construction. He suggested adding a sentence or paragraph about each of those that would define them a little bit better. He noted that Chair Satre's verbiage for the subarea/neighborhood plans were very clear and well stated.

Mr. Bishop felt they were saying the same thing twice. He asked if Mr. Miller will be adopting Chair Satre's language as well. He said that they as a commission recommend this and support the adoption of the plan as prepared; however, they feel strongly that there is a need for other items, which may need to be adopted in the future.

Chair Satre stated they have unanimous support for the additional items that need to be adopted as well.

Ms. Grewe had a quick language change. With regard to the economic development plans, she voiced concern that they would all be interpreted as an economic base analyses. She was more interested in a plan of action.

Mr. Miller stated it was directly out of the draft Comprehensive Plan that they are working on. It is not in the current Comprehensive Plan. As soon as the draft is adopted, it has to be there anyway. He stated they are just jumping a little ahead of the schedule.

Ms. Bennett asked if there is going to be a spreadsheet, as discussed earlier, of their various concerns that would go forward in the future, noting this is very specific to their highest priorities.

Chair Satre replied that would be part of an ongoing conversation. He noted they have to make a recommendation on the existing plan, right now, supported by applicable policies. It is also within their purview to make some recommendations, which is what they are doing.

Mr. Chaney shared his notes regarding Eagles Edge Water System connecting Pioneer Street over to John Street, and providing a stump dump. He asked if those were going to be in this motion.

Chair Satre replied that they are not in the motion as it sits right now.

Mr. Bishop supports an economic development plan, but is concerned that they are stepping on toes by pushing forward and diluting their comments. He expressed a desire to discuss that further.

Chair Satre thought they are trying to avoid stump dumps in this subdivision. He thought they have a few good priorities out there. Perhaps in the transmittal, they highlighted the subarea/neighborhood planning as a priority, and gave verbiage that supported it. He noted they have just basically have had quick, minor recommendations.

Mr. Bishop replied that he thought touching it properly is an adequate way of addressing it.

Chair Satre asked for further discussion or objection on the motion. Seeing there were none, he moved the meeting forward. He stated he would get with staff afterwards on the verbiage he has. Perhaps, they can make sure that the correspondence gets sent to the Assembly on this, and make sure it properly reflects their conversation.

Motion approved unanimously.

Mr. Bishop felt that it was worth following up on, perhaps at a later meeting, the other points that they made in terms of addressing specific issues that they have discussed today, such as the procedure for following up on issues of local importance, and setting up potential CIP projects for the future, maybe not through the Planning Commission, but through their communications with departments.

Chair Satre committed to doing that as they go forward.

AME2012 0006: A Text Amendment of Title 49 and the Comprehensive Plan for the 2012 Update.
Applicant: City and Borough of Juneau
Location: Boroughwide

Chair Satre appreciated everybody's effort at the last Committee of the Whole meeting and recapped that they had worked through the first five chapters of the Comprehensive Plan.

Chair Satre stated it worked well. They were able to delve into issues where needed. He thought the fact that they have already scheduled their next Committee of the Whole meeting for next Tuesday is reflective of the fact that they actually accomplished something. He is hopeful that this is how they could potentially prepare for their final deliberations on reviewing the edits and public comments. At the end of the last Committee of the Whole, Commission Haight thought it was important that they try to work through at least one chapter this meeting.

Mr. Chaney introduced Ms. Pleasants, noting she is present to help take notes on deliberations tonight. He thought there is pretty good grounding on this. They did have one comment that is in the packet for earlier chapters. He noted this may be a discussion for the Committee of the Whole. He just wanted to draw their attention to it.

Chair Satre thought that before they task staff with coming up with the clean document for final approval, he thought they would have a chance to do that one last closing of the loop. They would check for missing items, look for reconsideration of opinions, and work through the process. He suggested ensuring that Planning Commissioners make those comments part of that packet.

He addressed Mr. Bishop, and recapped the way that they worked through the first five chapters. They basically started off by asking Planning Commissioners if any of the proposed edits do not meet the recollection of how they had worked through that chapter originally. Then, they moved on to addressing public comments, trying to be sure to separate public comments that would best

be saved for the next revision of this document, knowing that the document will never be totally complete. He credited Commissioners as doing a very fair job of sifting through the volumes of public comments on that.

Chapter 6 - Energy

Ms. Lawfer proposed a question related to Page 84, where it talks about energy, where they added that AEL&P is the official electrical utility provider of Juneau. She wanted to make sure that they address the concerns of Juneau Hydropower.

Chair Satre hoped that everyone had their edits as proposed by Mr. Mitchell, who was present at this meeting. He noted they did have some edits that Mr. Mitchell and Juneau Hydropower have proposed. He suggested getting to those momentarily.

Ms. Lawfer proposed adding language to indicate that they were open to various energy alternatives.

Chair Satre agreed.

Mr. Haight referred to Mr. Mitchell's document with red and purple highlights. He commented that The Commission on Sustainability is just beginning to initiate an energy plan. The question he wanted to present to The Commission tonight was whether or not they should consider it for their next meeting, and come back to it. If The Commission on Sustainability is writing an energy plan, what is this energy plan? Are they going to have two energy plans in The Borough, with supporting documents? Is it something that they should be taking to The Commission on Sustainability to look at, and propose edits to this document? He noted that this document is becoming quite big and cumbersome. He stated having two documents becomes even more cumbersome, complex, and chaotic.

The other part of that is, if they are going to permit The Commission on Sustainability to move forward with this, which he thought they should do, then perhaps the amount of work that they put into this should be minimal, allowing them the latitude to move on.

Chair Satre followed up, suggesting a few edits, so that something is in place to ensure that in that timeline, while The Commission on Sustainability is working on it, even if these documents are on two different times, something is in place. Then perhaps they can make a recommendation on something such as an energy plan that another commission is dealing with, such as affordable housing. They could then make a recommendation to The Assembly that an existing chapter is being replaced, instead of trying to merge documents.

Mr. Haight concurred.

Chair Satre noted they did want to be sure that they keep something moving forward, while recognizing other efforts.

Mr. Haight thought that in a lot of cases, the dialogue that Mr. Lyman presented to them is a workable dialogue. There are some minor adjustments that they can make. He thought it was enough of a platform to move forward with, and allow The Commission on Sustainability to have latitude. There are some elements that he thought had to be addressed when this does come about. He referenced Commissioner Lawfer's question regarding the one paragraph about AEL&P's role. He thought that needed some clarity and definition. He suggested a writing about energy providers, separate from the utility. The utility is a distributor of energy, which is their primary mission. There are energy providers, such as AEL&P. Separating the two creates an allowance, and opens the text up to other energy providers.

He then went on to mention the very last paragraph on the first sheet, which addresses two main thoughts; one, that they need to be promoting a conservation of energy, noting their biggest option for containing energy is saving and conserving energy. That thought needs to be broken out as a sentence by itself. The second thought is that energy producers should be encouraged to continue planning and construction of renewable energy sources to offset the consumption of existing non-renewable sources that they have. The use of non-renewable fossil fuel type sources is not as well pronounced in this document as he thought it should be. The fact of the matter is, they are trying to offset those, in an effort to start saving some of their economy, and build sustainability. He felt further clarification was needed.

Going beyond this, he referenced the document that Mr. Lyman presented, noting it is really a great starting point. He thought they did not have to do much more to it.

Ms. Lawfer queried about a timeline, if Chapter 6 were to go to the Committee on Sustainability.

Mr. Haight responded that the Commission on Sustainability has already started working on this, and they are pulling their thoughts together. He did not know if they have a direct timeline, but noted that one can be projected. This is a project that the Commission on Sustainability has taken on for this year. Last year, they took on the project of building a web page, and they are successfully meeting that goal. This is their new project.

Ms. Grewe stated she agreed with all the changes in Mr. Lyman's document. She is operating from the document with the red and purple, submitted by Juneau Hydro. Starting with Page 84, she made a general comment regarding the two paragraphs that Commissioner Haight spoke about, specifically calling out Juneau Hydro in their Comprehensive Plan, and noting that she was somewhat uncomfortable with those two paragraphs. She would prefer further clarification on the energy provider versus utility, and the role of AEL&P in this community. It is appropriate to say they are a RCA certified utility provider, but perhaps a sentence on what that actually means for the lay residents of Juneau would be helpful. They commonly refer to them as their official electrical utility. She stated they need to call it AEL&P, but she is a little bit hesitant to call it Juneau Hydro within a Comprehensive Plan that is supposed to be good for 20 years.

While they want to encourage this type of activity, noting the comments that came from Juneau Hydro were great, she did not know if they should call out a business with no agreements in place yet in their Comprehensive Plan. Maybe it would be wise to look at those comments

seriously, but refer to them as independent power producers, or independent energy providers, but something that does not exclusively call it a business without any agreements in place yet, and also does not include future businesses that may be established which are not yet on the book.

Mr. Miller stated that the Commission on Sustainability's energy plan is different than the energy chapter. He referenced Mr. Lyman's comments, pointing out that there are different plans, such as the Waterfront Plan, the Non-Motorized Transportation Plan, and other plans that get used besides this one. He wanted to clarify that the Commission on Sustainability is doing a plan, but not reviewing chapter 6.

Mr. Miller asked if the affordable housing people are reviewing chapter 4.

Mr. Haight shared his thought, noting it has not even come up to The Commission on Sustainability. They are in the process of building an energy plan, and he sees a problematic coordination issue. When The Commission on Sustainability build their plan, we are either going to have to come back and rebuild this to coordinate with theirs, or we are going to have to make theirs a part of this document.

Mr. Miller stated that he read the red and purple comments, and he agreed. He thought the ideas that have been afforded by Ms. Grewe regarding the provider, and inclusive versus exclusive are important concepts and ideas. He would like to see those added in.

Ms. McKibben introduced herself as the staff liaison for The Commission on Sustainability, noting that she has been for almost five years. She shared her thoughts on the energy chapter versus the energy plan. She opined that it is not different than the housing chapter in the Comprehensive Plan, which recommends a housing plan, and the economic development chapters that recommends an economic development plan. These chapters in the Comprehensive Plan are broad and general. The recommendations for plans such as the housing plan is a housing action plan. The plan that The Commission on Sustainability has talked about developing is a much finer detailed, finer grained, very specific plan where the energy chapter is more of an overview and framework for the foundation.

Chair Satre emphasized limiting the conversation to specific concerns raised as opposed to generic. He addressed Mr. Haight, and voiced appreciation of him bringing up the Commission on Sustainability plan. Chair Satre stated that one of their implementing actions should be to adopt an energy plan put forth by The Commission on Sustainability. He mentioned Mr. Mitchell's or Juneau Hydropower's comments, noting the most substantive details of those are really the last two paragraphs on the first page and the first paragraph on the last page. He suggested getting through those, and get staff some recommendations, and then quickly flip through the other 11 pages in the chapter and address some additional concerns of other people. They may facilitate giving staff enough to consider over the next 15 minutes and wind up this chapter and finish it off with the Committee of the Whole.

Chair Satre recapped that there is a difference between the utility and the provider, they do have one with a certificate, they have other companies developing projects or looking at developing projects, they want to be as inclusive both at this time and at future times with that discussion so that staff can be directed appropriately.

Chair Satre referenced the last paragraph there, noting they need to make sure the thought on conservation of energy is separated out. They have not had any discussion on the edits on the next page.

Mr. Chaney spoke about a concept that Mr. Haight had brought up regarding addition of another thought below the last sentence on page 84. He asked if Chair Satre wanted that added or not.

Mr. Haight read, "Energy producers should be encouraged to continue planning and construction of renewable energy sources to offset consumption of existing non-renewable energy sources."

Chair Satre moved on to the next page, the addition of a paragraph that references the CBJ resolution and the Climate Action Implementation Plan. He asked if there were any objections to that addition. No objections were raised.

Mr. Miller spoke regarding Page 87, Policies Implementing Action 6.2-IA2, promote conversion from fossil fuel heating systems to geothermal biomass or biofuel systems instead of two electric heating systems. He stated there seems to be this thought or belief that geothermal is not an electric heating system. He clarified that geothermal is an electric heating system. He advocated conversions that are not electric, but also did encourage efficient electric conversion. There are actually a couple of different types of geothermal, but basically it is a heat pump.

Chair Satre brought up some proposed edits on 6.2-IA1, to make them more inclusive. He also mentioned a proposal to add a new 6.2-IA3, promoting the development and use of renewable energy sources to help meet the goals and objective of the Climate Action Plan. He asked if there were any objection to adding that one.

Mr. Bishop proposed striking the addition of 3, and just make IA2, "promote conversion from fossil fuel heating systems to renewable alternatives." He thought that would cover IA3 as well, and meet Mr. Miller's concern at the same time.

Chair Satre noted that they are getting into the listing at the bottom of the page, 6.3-IA1. He suggested being as inclusive as possible.

Mr. Bishop asked for clarification as to whether they were talking about 6.2-IA2 or 6.3-IA1

Chair Satre apologized, stating that he had moved on very quickly. He noted that Mr. Bishop basically said they can rewrite 6.2-IA2.

Mr. Miller addressed Page 88, under Energy Efficient CBJ Buildings And Projects. In the lead paragraph, in the second sentence down, it reads, "CBJ government to set an example for

businesses and individuals in adopting cost effective energy saving technologies and operating procedures.” He noted what it does not say is that just by doing it is not going to really help much. He noted that they need to test the results of building them that way, test the ideas, and then produce results that can be shared with the community. For instance, how well is the pool doing with the few pumps that they have? Have they saved any money? Maybe it is a great idea, but they are not publicizing it to the benefit of the community. He would like to see something added in there about that.

Ms. Lawfer commented on Page 93 and 94 regarding the public education on energy, where they are encouraged to provide a public meeting as to the energy plan, and utilize The Commission on Sustainability to talk about energy systems. She suggested possibly adding one other thing in the public education section that addresses cost analysis. It is in the policy that CBJ government will talk about what their energy decisions are doing for the community.

Mr. Bishop followed up regarding implementing actions that pick up where Mr. Miller left off on the next page. He quoted, “invested in necessary metering equipment, produced monthly project energy reports, conduct energy audits and establish energy management goals.” He thought it does meet the incentive further on regarding the implementing action.

Mr. Miller reiterated that they are not getting the word out.

Chair Satre agreed that they needed to provide their knowledge to the public.

Mr. Miller agreed to adding that in there, and make the results public.

Mr. Bishop suggested adding on to 6.5-IA2, invest in necessary metering equipment to produce monthly project energy reports for public, and make it available to the public.

Chair Satre commented that it is not specific about a reporting period or requirement. It just says make them available. He stated they could work to do that.

Mr. Miller agreed with Chair Satre and Ms. Lawfer. The CBJ government is to set an example for businesses and individuals in adopting cost effective energy saving technologies and operating procedures. If they are going to set an example, he suggested measuring that success, and then get that example out, so that people can learn from it. He noted just having metering equipment to produce a monthly project energy report would not teach people what that example did necessarily. He encouraged educating people to build in a fashion which would produce savings on monthly energy usage.

Mr. Haight stated that typically when getting into something of this nature, whereby trying to prove a point, they have to make a reference to something. They can produce an energy report, but unless they have a point of reference, it is meaningless to most of the public. He suggested referencing the cost of energy for a particular facility prior to the implementation of a conservation method. He also suggested comparing facilities per square footage.

Chair Satre deferred to Mr. Miller for encapsulation of some suggestions for Tuesday's meeting. He referenced Mr. Haight's comparison suggestion, noting it is good. He brought up a suggestion from Juneau Hydropowers', Mr. Mitchell, who had the 6.3 implementing action 2. He thought it tied in public testimony that was given on The City's resolution to do the rectification of Veterans Memorial Highway. He asked for comments on adding that in.

Ms. Lawfer suggested saying “as per resolution 2632.”

Mr. Chaney asked for clarification.

Chair Satre explained that it was a potential edit from Juneau Hydropower. It would be 6.3 Implementing Action 2. It is a brand new implementing action, so it would be at the very bottom of Page 87 or at the very top of page 88, and they have got that verbiage on the public comment that has been suggested.

Mr. Bishop asked how putting more electrical lighting on a highway reduce electrical cost and carbon emission.

Chair Satre stated there was a City resolution that was adopted to bring power out there and this implementing action basically reflects that resolution.

Mr. Bishop stated it is for the lighting.

Chair Satre stated it is for power line out that way. Discussion was had regarding reducing electrical cost, carbon emissions, and encouraging economic development as justification for passing that resolution.

Ms. Grewe suggested possibly doing a language change to 6.3-IA2, “encourage planning funding and development for the electrification of Veterans Memorial Highway to Cascade Point.” She recommended simpler language, and removing some of the problem areas that Commissioner Bishop noted. She pointed out that she did not use the resolution citation, and felt it was not necessary to add that. She noted that there are a lot of resolutions that are linked to some of these policy statements. She was not opposed to adding it, but did not see the necessity in adding it.

Ms. Lawfer asked why they are coming up with this implementing action, noting that it is not something that the Planning Commission or Juneau Hydropower just came up with. The Assembly did pass the resolution, and went through the whole public hearing process. She felt that the resolution should be a part of that.

Mr. Miller agreed that they did not need to start listing all the resolutions for their support to different parts of the Comprehensive Plan. He spoke about the part that talks about improving access to Juneau and noted there is not a resolution where The Assembly has supported the access road.

Chair Satre voiced Ms. Grewe's suggestion of a very simple language change to address this item as opposed to adding verbiage to the Comprehensive Plan.

Chair Satre asked if the Commission preferred to keep it simple per Ms. Grewe's suggestion. The members agreed.

Chair Satre mentioned that it was getting late and that they could complete the rest of the chapter at Tuesday's meeting. He hoped that they could have a clean copy for recommendation to the Assembly on the 23rd of April at the Regular Planning Commission meeting.

He stated that he had mentioned to Mr. Hart that they have closed public testimony on these edits, but it may be appropriate, from a process perspective, to open up public testimony on that evening so people can give final comments on the additions. He thought the Assembly wants them to ensure they are doing as much of that public process as possible. He noted he has not had a response back. He was going to run that past the legal department from a process perspective.

Mr. Chaney wanted to clarify that the reference to the resolution was not included in the last statement. Chair Satre replied that it was not.

Ms. Bennett noted that some of the comments that she made the last time about the introductory chapter were direct quotes from a comment and was wondering who wrote that comment. The commentary that they got tonight said that the person who wrote it had actually sent it to five different native organizations for their consensus on it. She hoped to get a response back from all of those groups, but they do take a long time to build their consensus. She asked how to proceed on that.

Chair Satre stated that this document, even when they finish, is not finished. He referenced their last meeting and spoke regarding the bulk of the introduction that addresses all of the various cultural periods in the history of Juneau. He mentioned that there may be experts who would want to be involved in that and that they can be in the next process. He noted that Ms. Bennett had provided a synthesis of some of that, which he thought the Commission was willing to adopt as a placeholder for that effort. Ultimately, they are creating a record of these things that are going to be addressed in the next version, which is really, quite frankly, only two years away.

Ms. Bennett addressed her issue of plagiarism. She listed a whole paragraph from the comment. Before that is published, she suggested getting back to the person who wrote it, and asking them if their words can be incorporated into the plan directly.

Chair Satre replied that his idea is that it be submitted as public comment and edits. If they object to them using it, he was certain they can voice their objections at the next level; however, noted that they do need to check comments for accuracy.

Mr. Miller apologized for losing the comments that had the red and the purple on it. He stated if he could get another copy of that for Tuesday, it would be most helpful.

Chair Satre encouraged everyone to take the comments that were included in this week's packets and put them into their Comprehensive Plan packets.

Chair Satre closed discussion on the Comprehensive Plan.

XI. OTHER BUSINESS

XII. DIRECTOR'S REPORT

Mr. Chaney commented that the CIP list always seems to come up and surprise everybody. There is no deadline to submit thoughts. He advised this could be started as early as next month. They do not have to wait for permission from anybody to talk about this. It can be discussed at will. He encouraged Commissioners to think proactively, so that last minute discussions are not necessary. Chair Satre suggested building a database with their comments.

XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES

Ms. Bennett appreciated the fact that a fellow came forward with a second variance and that he was willing to do that. In the report, it mentioned that he had come a couple of months prior. Ms. Bennett suggested keeping track of cases where individuals have previously come before them. If it is not mentioned in the report that someone had previous contact with CDD, then it would not be known. From a standpoint of transparency, it would help them to understand the current case, if past history were recorded.

XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS

Mr. Miller reported that the Wetlands Review Board met last week. A new part of the Auke Bay improvements was the launch ramp. He speculated that they would be seeing that project in the near future.

XV. ADJOURNMENT

MOTION: *By Mr. Miller to adjourn the meeting.*

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