

MINUTES

PLANNING COMMISSION  
CITY OF BOROUGH OF JUNEAU  
Michael Satre, Chair

REGULAR MEETING  
June 11, 2013

**1. 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 7:05 p.m.

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

Commissioners absent: Ben Haight, Nicole Grewe.

A quorum was present.

Staff Present: Beth McKibben, Senior Planner; Hal Hart, Director

**II. APPROVAL OF MINUTES**

April 23, 2013 – Committee of the Whole Meeting and April 23, 2013 – Regular Planning Commission Meeting.

**MOTION**: by Mr. Miller to approve the April 23, 2013 Committee of the Whole Meeting and the April 23, 2013, Regular Planning Commission Meeting minutes with minor corrections as provided by commissioners or staff.

**III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**

*JoAnn Lockwood*: I am a 49-year resident of Juneau and I have been investigating, I've been researching the permitting process that did not take place as far as CBJ permits on the downtown snow storage site facility. It has been about two and a half months and I started with the reason as to why there was no Conditional Use Permit, which was validated by the footprint of the snow plat being under 1 acre; however, past that point, I asked for a public records request and found that there is no CBJ permit on that property, no preliminary permit. You will find on the second page from my letter, it's the third page in, the answer from Jennifer Mannix as to the second paragraph down the building permit, development permit, grading permit and Conditional Use Permit were not required; however, the CSP (City State Project review) and resulting determination was not applied for. So, basically as it weren't required, they weren't applied for and the CSP was not applied for either. If you go into any CBJ Department, Community Development included, there are no CBJ permits on that project. I've been in construction all my life and I've never heard of a project that I worked on

that could not have a CBJ Project and the reason why I'm questioning this is, there is list from A to H of persons and entities that were completely eliminated as a result of that, but what I'd like to do is read this letter so that the public can hear it and also the board and members.

June 11, 2013

Dear Planning Commission Members,

The standard CBJ permitting process was completely eliminated on the above project, Bid E13 151 Downtown Snow Storage Site Facility. The attached request for public records dated Monday, May 25, 2013, reveals that there is not one CBJ department application review or permit on file for this project, none were even applied for. Each preliminary CBJ application is mutually inclusive of another through CBJ court law, thus requiring numerous joint department reviews and determinations on any new CBJ project. The attached CSP, City State Project and Land Action Review application for any CBJ project has a list of legal project information required to be filed, most importantly the Capital Improvement Program number, State Project number, the project's association with other Land Uses Permits etc. At the project's conception, the CSP application requires all appropriate city and state persons and CBJ Departments to be notified, scrutinized and finalized and approve the plan for any project, with public participation required at the Planning Commission level. The following processes were completely eliminated for all listed below as a result of no CBJ permitting....

Chair Satre: Ms. Lockwood, if I may interject for just a moment. We are going to make this letter very much part of the record, I will give you some leeway to read through it, but before we do, I want to make sure if there is any other member of the public who wishes to take advantage of Public Participation on Non-Agenda Items, to limit time if need be. I apologize for interrupting. Is there any other member of the public who would like to take advantage of public participation after Ms. Lockwood? Seeing none. Ms. Lockwood, you do have the list A through H, those we'll get into the records, so possibly if you could skip to the next page and go through some of the salient points and we will get through it.

Ms. Lockwood: Okay, I will read A through H very quickly and I'll skip to some of the others. Can I do that? I appreciate that.

Joint CBJ Department review- Applications review, final determinations, which all CBJ permits require to be on file in each department.

Long Range Waterfront Plan - Review public comment and final determinations.

Planning Commission - Review public comment and final determinations.

State of Alaska DOT - Public comment and serious scrutiny and determination of vehicles versus heavy snow-laden dump trucks in the ingress and egress at Thane Highway.

State of Alaska DNR- Notification to the State of Alaska DNR for their mineral reservation, ATF-5568 to declare CBJs intent and encroachment with the construction project at that property

requiring legal resolve according to all city, state, and federal mining laws and current mineral reservations.

Current mining claim holders, Dr. Roger Eichmann and AJT properties, hold current valid mining claims at that specific property. According to State Mining Law, CBJ was required to notify each of them before any activity took place in their mining claims. This did not happen. Neighborhood associations reviewed public comment and final determinations. Juneau community members reviewed public comment and final determinations. According to Mr. Watt, AJT Mining Inc. has since notified him that the access road is encroaching on their patented mining claims. Mr. Watt says he is working to rectify this matter after the fact. Dr. Eichmann trespassed into his current valid mining claims on March 20, 2013, at the current construction site, at which time someone from the city removed the trespass board clearly in violation of State of Alaska Mining Law. These violations are \_\_\_ now as a result of critical legal decisions, which remain in-house and at the sole authority of the director of CBJ Engineering present and staff, completely eliminating the joint legal CBJ Department permitting procedures and required public participation. This is Capital Improvement money appropriated by the Assembly, \_\_\_ projects are required to adhere to all city, state, and federal permitting regulations. This project failed in its compliance from the beginning with no preliminary CBJ permits and \_\_\_ on the CIP money, then the money is transferred from the Assembly appropriation to CBJ Departments, whose use is left incomplete and nonexistent. This is no small project as resolutions listed. The normal steps of encroachment for any project within CDD permits, in my world, understanding CBJ permitting code law would be to red tag the ongoing projects, the lack of joint CBJ Department review, determinations and permits; number two require all work on the project to cease immediately; number three in this case require engineering and accompanying departments to apply for all necessary preliminary reviews, provide some public participation, and to follow through accordingly with all city, state, federal codes, laws and current regulations. It is my hope that the CBJ Planning Commission will take further action of authority to acquire the downtown snow storage facility and comply completely with CBJ code law, reviews and permitting procedures in order to place this project into its required legal land use permission at that site with all files available at appropriate CBJ Departments. Thank you for your time, I hope I didn't take too much.

Chair Satre: No, I appreciate you giving us copies of the letter and we'll certainly make sure it's part of the record. Anything else before we go to questions by the commissioners?

Ms. Lockwood: That's it. Thank you.

Chair Satre: Questions from the Commission, Mr. Watson.

Ms. Watson: Just one quick one Ms. Lockwood, thank you very much for speaking tonight. The property that you're referencing, is that property that's leased?

Ms. Lockwood: It is. There is a lease on that property also, CBJ lease to Juneau Port Development as well.

Mr. Watson: Juneau Port Development and you're leasing from?

Ms. Lockwood: Juneau Port Development is leasing from the city – surface rights, the mining claims are under....

Mr. Watson: Which department, is it Lands, is it Docks and Harbor?

Ms. Lockwood: It went through the Assembly. Actually, it went through all the steps, through all committees up and final approval through the Assembly.

Mr. Watson: Thank you very much.

Ms. Lockwood: You're welcome. Thank you.

Chair Satre: Further questions: Seeing none, thank you for bringing this to our attention.

Ms. Lockwood: Thank you for letting me.

Chair Satre: I don't believe we had any further volunteers for public participation, so we'll go ahead and close that.

#### **IV. PLANNING COMMISSION LIAISON REPORT**

Mr. Smith: Thank you Mr. Chairman. I have a fair weather and brief report from the Assembly to you all this evening. The preoccupation of the Assembly of course for the last several months has been the budget. We finally got that done the other night and we're fortunate I believe that we ended up with no property tax increase and no levy. So that means we've got a lot of extra time on our hands. I want to thank each and every one of you that attended the joint meeting last night with the Planning Commission and to talk about a couple of key informational issues that are important to both bodies and I'm really high on this idea because the benefits of doing this are many, but when we have joint focus on strategic issues, the Planning Commission and the Assembly, we not only get to know each other a little bit better, but we see the depth in these issues and last night we were talking about the transits. We were talking about the maps. These things are going to be with us for a while; but they're strategic issues. number two, neither one of these issues recognizes the trend that we have here, the undeniable trend we have toward more and more density, getting to know our neighbors a little bit more. That's the reason why we have more and more appeals; but this is really good for these two bodies to recognize that we have this undeniable trend that's going to be with us for a while and there's value there when we both look at it together. Finally, and probably the best thing, is joint meetings provide for professional dialogue. I'm just one Assembly person to tell you that, in my opinion, the more the Assembly sees you in this dialogue, we appreciate the depth of knowledge and the experience that you bring to these strategic issues. So, I would be glad to bring to the mayor the suggestion that we shoot for four Committee of the Whole meetings each year. Who needs to go to more meetings? But I think these strategic meetings are of great value and I would like to suggest that if you would like me to carry that message back, I will do that. Thank you.

Chair Satre: Thank you very much Mr. Smith. Comments from commissioners? Questions?

Mr. Watson: It's a great idea. I'm for it.

Mr. Smith: I know you want, at least, another meeting.

Ms. Bennett: I'm in favor of it as well. I missed the meeting last night. I apologize. I had another meeting.

Mr. Medina: Yeah, I think it's a great idea and I look forward to it.

Chair Satre: So let's see what we can do. Quarterly meetings, that shouldn't be too bad.

Mr. Smith: Thank you.

## **V. RECONSIDERATION OF THE FOLLOWING ITEMS**

Chair Satre: The next item on our agenda is reconsideration of two items. Let me just give a little bit of introduction before we take up or look for a motion to reconsider. At this point in time in the meeting, we will deal with reconsideration only. If a motion to reconsideration of each item is approved, we will move those to the back of the agenda after the Consent Agenda. At the original meeting, these two items were taken up. Motions to adopt staff findings, analysis and recommendations, and deny the CSP and the variance were made. Both of those motions failed, not due to an overwhelming majority, but a lack of five votes to take specific action. Because those motions were made to deny a permit, it puts us in a little bit of a bind in terms of what we can do after that. So, in a moment, I'll look for a motion to reconsider both of these items. As Chair, I think we should always give great latitude towards motions to reconsider, so we can take them up and do whatever the right thing may be, to get to a decision point that it either can go forward or it can be appealed by appropriate parties. Then, when we take these items up, we can make a motion in the affirmative to approve a permit and then if that motion fails, then we could adopt the findings, analysis, and recommendations that were originally there to deny; or if the motion passes, then we would have to adopt the findings that would support the passage of that motion. So, with that, I would look for a motion to reconsider the first item.

**MOTION:** by Mr. Miller to reconsider CSP2013 0010.

Ms. Lawfer: For clarification purpose, because from last week to this week, that is specifically dealing with the four parking spots and the widening of the sidewalk on Seward Street.

Chair Satre: That is correct.

Ms. Lawfer: Okay. I want to make sure that we're all ....

Chair Satre: Further discussion on the motion to reconsider? Is there objection to the motion? Seeing none, we will move CSP2013 0010 to our Regular Agenda. Do we have a motion on the variance?

**MOTION:** by Mr. Miller to reconsider VAR2013 0014.

Mr. Medina: Just a point of clarification. Do we need to convene as the Board of Adjustment to consider that variance?

Chair Satre: I do not believe so. Well, to consider the variance, yes; to vote on reconsideration, no, procedure-wise.

Mr. Medina: Okay.

Chair Satre: Further discussion to the motion? Objection to the motion? The motion to reconsider is passed and we will take up Variance 2013 0014 under the Board of Adjustment on our agenda. That moves us to our Consent Agenda for the evening. Items are placed on the Consent Agenda that staff considers to be relatively simple applications and not in need of a full public hearing. In a moment, I'll read the two items that are on our Consent Agenda this evening. The public will have a chance to pull any item for a full public hearing. After that, I'll ask commissioners if any commissioner would like to pull an item; they'll be allowed to. Any items remaining on the Consent Agenda will be taken up and likely approved in a single motion with no public hearing. So, this evening, we have:

## **VI. CONSENT AGENDA**

CSP2013 0008: Pavement rehabilitation on Riverside Drive from Egan Drive to James Boulevard. Sidewalks will be added to both sides from Egan to Mall Road. Drainage improvements to include installation of curb and gutter. Constructed on behalf of CBJ utilizing FHWA NHS funds  
Applicant: State of Alaska

Location: Riverside Drive

### Staff Recommendations:

That the Planning Commission find that the proposed project, to rehabilitate pavement on Riverside Drive from Egan Drive to James Boulevard, with sidewalks added to both sides from Egan Drive to Mall Drive/Vintage Boulevard, and with drainage improvements including installation of curb and gutter, be found to be in conformance with CBJ-adopted plans as required by CBJ 49.15.580 and AS 35.30.010, with three conditions:

1. The pedestrian-activated crosswalk warning system required as Condition 5 of USE2003-00055 as amended by USE2009-00051 must be installed as part of this project.
2. Bicycle route and way finding signs meeting the requirements of the Manual on Uniform Traffic Control Devices (MUTCD), as amended and adopted by DOT&PF, shall be installed as specified in the MUTCD throughout the project area. Final sign placement shall be subject to Community Development Department staff review and approval, consistent with the MUTCD and the Non-Motorized Transportation Plan.
3. The intersection of Riverside Drive, Vintage Boulevard, and Mendenhall Mall Road will be reconfigured and striped so as to provide for through-bicycle lanes on Riverside Drive, consistent with the American Association of State Highway and Transportation Officials Guide for the Development of Bicycle Facilities (2012), and with particularity Figure 4-20.

USE2013 0001: A Conditional Use Permit to change lighting and painting on an existing cell tower  
Applicant: Noah Grodzin

Location: Fish Creek Road Area

Staff Recommendations:

Staff recommends that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use Permit. The permit would allow orange and white safety painting and a red flashing light on an existing 175' monopole.

Chair Satre: Would any member of the public like to pull either of these items for a full hearing? Seeing none, would any member of the Commission like to pull an item?

Mr. Medina: Yeah, I just have a question. Since there are modified findings on CSP2013 0008, do we need to pull that from the Consent?

Chair Satre: I believe we can include that in our motion.

Mr. Medina: Okay. Thank you.

**MOTION:** by Mr. Miller to approve the Consent Agenda as read and note that there are modified findings and recommendations that were included in the blue folder item.

Chair Satre: Thank you very much Mr. Miller. Objection to the motion? Seeing none, both of those items have been approved. I would take a little bit of leeway to just make a brief comment on USE2013 0001. I much appreciate staffs' efforts on that to come to a reasonable decision point and certainly the neighborhood and everybody else involved. We always say Consent Agenda items are simple; this one was a thick one; but if you read through the application, I think we see how people can work together to get to a good decision and we appreciate that. So, thank you very much. Thank you Mr. Rue, former Commissioner, for being here this evening.

**VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS**

**VIII. UNFINISHED BUSINESS**

**IX. REGULAR AGENDA**

CSP2013 0010: Vacate four parking spaces in CBJ right-of-way along Seward Street  
Applicant: MRV Architects  
Location: 113 South Seward Street

Staff Recommendations:

Staff recommends the Planning Commission adopt the above findings and recommend to the Assembly denial of CSP2013 0010 - the widening of sidewalks and vacation of four on-street parking spaces on South Seward Street.

Staff further recommends the Planning Commission adopt the above findings and recommend to the Assembly denial of CSP2013 0007 - vacation of two on-street parking spaces on Front Street.

Chair Satre: We have a reconsidered item. Because this item was reconsidered, we are at a point in the proceedings immediately before the vote on the motion was taken, I would point out and we were after the close of public testimony, so we still have a motion on the table to approve staffs' findings, analysis, recommendations and deny the vacation of the four parking spaces. I can't remember who made that motion. Was it you, Mr. Miller?

Mr. Miller: I believe it was.

Chair Satre: Would you like to withdraw that motion for the sake of further discussion, so we can put that motion in the affirmative this evening?

Mr. Miller: I will do so; I will withdraw my motion.

Chair Satre: Excellent. So, we now are at Planning Commission deliberations on this item. We do not have a motion on the table. Is there any further commission discussion on this item before we do place a motion on the table?

Ms. Lawfer: I feel that it's very important that we talk about the two parts of this proposal. One is, yes, losing four parking spots on Seward Street; but, the other part is widening the sidewalk and providing better pedestrian access around that area. That is why I'm glad this came up for reconsideration as opposed to the two spots on Front Street which were denied. There's definitely a plan and it does go with the Comprehensive Plan and it does go with what we're looking to do with regards to the downtown area. I just wanted to make sure that we understand it's not only just losing parking spots; but it is enhancing the neighborhood and allowing for better pedestrian access.

Ms. Bennett: I agree with Ms. Lawfer. Ever since Sealaska put in the garden area where the pit used to be, I really have appreciated that sense of space and aesthetic that has come about as a result of their actions and I can understand as builders, why they don't want to lose all of that. I would hate to see losing that whole aesthetic as well. Although Mr. Watson argued against nonspecific comments, I am going to make one anyway. I can understand the neighborhood's concern about parking and there are various ways that we could, not necessarily at this moment, but consider various options to the constriction of parking that is going to occur in the downtown area with the SLAM project and with this project. I don't know if it is appropriate to talk about that now; but I think we need to recognize that we're going to have to have some options with both of these big projects coming online in the downtown area. I personally am in favor of the vacation of the Seward Street parking places because I think that in the long run, the benefit to pedestrians and to the aesthetic of the downtown is really important, but I think it is going to cause a hardship in the short run and there are some solutions that we can talk about.

Chair Satre: I appreciate Ms. Lawfer and Ms. Bennett speaking to why we should recommend to the Assembly that we approve this. Actually, I would look to either one of you to make a motion along the lines of the planning commission adopting new findings and recommend to the Assembly approval of this permit, the widening of the sidewalk vacation, so we can speak to that motion specifically. Mr. Watson, do you have a procedural point?



Mr. Watson: Yes, I do Mr. Chair, if I may, at least I think it is procedural. We are talking about four vacated parking spots that both Ms. Lawfer and Ms. Bennett have expressed about; but it seems to me that we are also looking at vacating parking spaces on Front Street.

Chair Satre: We are not. That vacation was denied at the previous meeting.

Mr. Miller: Can this be opened up for public testimony?

Chair Satre: It would take a motion and 6 members of the commission to reopen that, per our rules of order. Would you like to reopen public testimony?

**MOTION:** by Ms. Bennett to allow public testimony.

Chair Satre: So, this will be on CSP2013 0010. Is there objection to that motion? Seeing none, we will reopen public testimony at this time. We'll follow our rules of order. The applicant will have the ability to come up first to discuss their project followed by members of the public. Mr. Kadinger?

Chair Satre: Certainly, the applicant will have a chance to come back once the members of the public have testified.

#### Applicant Testimony

Mr. Kadinger: Thank you members of the commission for allowing us again to testify on this very important project.

SHI has been working on this for a number of years. Many of you are probably aware that the Sealaska Heritage Institute is just a very small 501(c)3, non-profit organization. We have a simple mission: to perpetuate and to preserve Tlingit, Haida, and Tsimshian cultures and to promote cross-cultural understanding. We are not a corporation or a profit-driven business, but rather a community organization that has developed a vision over the past few years for a community facility. The vision that's before you is developed through a very public process over several years and has been overwhelmingly supported within the community. We have tried addressing as many comments as we can. We are always open to public comments and ways to improve the facility; how do we improve this for the downtown community and for Juneau as a whole.

The space that we have tried to afford for a pedestrian area in front of the facility that is before you today really is for a safe gathering area. The center, as you all can probably envision, is going to draw significant amounts of people, significant amounts of community members. Envision the first Friday where we have a new exhibit showing and people coming down to the Center, hundreds of people; your neighbors, family members, your friends coming down there, having a space to be able to gather. When the space that's currently in the lot is gone, there is going to need to be other space and we are hoping to be able to continue to provide that at a significant cost to our current parking area. As you can see in front of you, we are looking to give up a significant amount of it, what is currently Sealaska parking lot, to be able to provide for a very pedestrian-friendly area. That is, in our view, in the best interests of the citizens of this community; something that is safe for them.

Another very important component that is illustrated in our Memorandum of Agreement with the Juneau School District is this facility is going to be the destination for every school child from grades K through 12 for multiple experiences in their educational career, not just once, but at multiple times coming for plays, coming for the exhibits, coming for research opportunities as a high-schooler. So, if you will, if you can envision 30, 40, 50, 60 small children gathering in front of the facility, is it something that we want to have a narrow sidewalk and 60 first-graders running around, trying to keep them corralled on a 4-foot sidewalk or something we would like to afford an 8 or 10-foot area that's safe for them and convenient. And we feel that having that space there is a precaution; it is going to pay many benefits for many years. This space isn't for private or individual use; we are not building on this; we are not proposing to build on this, we are merely proposing to widen it, to make it more community-friendly.

I would also like to point out that I stopped by the parking garage today at two different times just to get a feeling of the amount of usage. As a big facility that has a lot of draw, we have been planning on many of our patrons to use that parking garage. There is a significant amount of space. Today it was far less than half full. At various times, I went in, at 10 o'clock this morning, it was far less than half full at a very business time period. After about 3:30 - 4 o'clock, at the end of the work day, I walked over again. Again, it was fairly empty. So, there is plenty of space that our patrons will be able to park in, as well as other business owners that have customers that are coming to their businesses. There is plenty of space there for their patrons to park and we are depending on it. I am sure that they will depend on that parking space as well.

Also, looking at the studies, not even a 100% of the parking spaces on the street are used right now at peak time periods. Looking at it, it's less than 80%. So, four spaces is not going to make an impact because it's never 100% utilized; it's never 100% full by the studies that are in the memorandum. So, I think I would just like to, again mention the importance of this. It is a community facility. This isn't something that we are asking for as a private benefit.

This isn't going to help us in any way; it's just going to be something that's more friendly to the community, more friendly to the downtown area and to continue to provide for the community.

Paul Volker: I will follow on this very briefly. The graphic in front of you, just to make it real clear about what's in debate here, the blue bold line represents the property line and then the red strong line represents the current curb, it allows you to see the area in question rather clearly in front of the building and I think Lee touched on this, one of the key relevant points is that it's directly across from the building Sealaska is contributing 30 plus feet of what could be developed as parking lot to create this urban plaza and views it being done across the street in conjunction with a safe pedestrian crossing. You see that where it says "stalls" right in front of the main door of the building, would be a raised table, that's exactly the same as in front of the Capital Building which is a demonstrably safe way to have a lot of people cross that street and kind of create that, you know that you are approaching from where it is important for people coming and going and so essentially, this creates, I think, really the only sort of urban public space, pedestrian space in the downtown core and it's ringed as much as we possibly could on the backyards and a couple of planter islands with greenscape and seating, new lighting and trying to really make this four-way intersection for all of the buildings in that area and of course for the Heritage Center, a truly useful public space. Just a

final point, I think Ms. McKibben touched on that in the original presentation that you have a difficult nuance task to weigh, you have dueling purposes. Your intent language suggests the Planning Commission needs to be really conscious of pedestrian amenities and safety at the same time you are also weighing the commercial need for those parking spaces along the street, and I guess I would suggest this is a case where that same equation has been struck going up Seward Street, for 2 blocks, half of the parking along the street has been given back to create better pedestrian space. It's certainly the same thing on Main Street and even in the recommendation to close Shattuck Way and losing 7 spots there. So much is gained for those 4 spots relative to those other examples we are throwing out. Thank you for your consideration.

Chair Satre: Questions for the applicant?

Mr. Watson: You probably haven't seen the letter from one of the business people from one of the businesses that is adjacent to these 4 parking stalls, he addresses the actual financial impact that losing these will have on his business and I am generalizing a little bit, but that is the crux of his letter and perhaps if he is here, he may speak a little bit more, but how would you address that, if you are speaking directly to that property and business owner, how would you address his concerns about the loss in business, the impact it will have on his customers?

Paul Volker: I guess we would point out that these are probably almost the closest spots in the downtown core that are in fact served well by the new parking structure, which I think has been part of the quid pro quo about removing other street parking; it's because of the central new parking structure that is almost immediately adjacent to this spot.

Mr. Kadinger: Sure and you know, I appreciate this is the first time I saw this letter, but I actually had a meeting with the business owner, I believe, about a month ago and it is my understanding that the most critical aspect was the need for the waiting area or the loading-drop zone, that was the most critical component. Parking was less of a concern, so this seems to be a new found fear.

Mr. Miller: I am going to try to remember some of the parking discussions that we had from the last evening that we were here. The existing Sealaska building, my understanding, is exempt from the parking regulations because it was built prior to them and so therefore this building is able to use that parking lot for immediate parking requirements for the new building. Do you recall if there are 50 spaces, 40 spaces, how many spaces are in that new parking lot?

Mr. Kadinger: 49 spots and 33 with the calculated need for the new facility.

Mr. Miller: That leaves about 16 remaining for the existing building and so, I assume that then there is going to be some overflow need for your 2 facilities and so where are your employees going to park? Are they going to park in the parking garage or do they park in the parking garage now or they are doing what the CBJ employees do and that is every 2 hours they go out and move their car.

Mr. Kadinger: I appreciate the comment. Many of our employees actually do utilize the parking garage. We actually encourage it. We encourage it by several ways. One is we have a program where we provide, I don't know the exact amount, but we provide a substantial amount towards the monthly parking permit within the parking garage. So, I want to say they provide \$40 a month, we provide the rest, and then it is \$120 a month for permit. I am not exactly sure, but we help off those costs to encourage them to utilize the parking garage because they feel that is beneficial for them to

do so and we see more of that going on in the future. We also have begun the sessions of a program to assist other employees that are more interested in busing and not even having to drive to work and helping them with the bus pass, the same type of a theory, but encouraging them to use public transportation systems and offsetting the costs of those bus taxes as well is something we are examining, again as a way to help alleviate the parking situation downtown. I think we have been a problem solver in that and we have provided solutions for many years to the parking situation in downtown. We have been contributing to the solution there, we continue to do so. and pledge to continue to do so and we believe taking approaches like that; encouraging employees to use a parking garages rather than take up valuable on-street parking businesses need. It's one way to help solve that.

Mr. Miller: I certainly applaud those efforts and I am glad to hear that that's what you are doing, but I can't remember which fellow commissioner mentioned at the last meeting, but they hinted or suggested that perhaps you could, as a trade for the vacated spot, designate some of the parking spots in the lot as for public use and so have you further considered that and if so, what are your thoughts?

Mr. Kadinger: Just to clarify, the proposal as we had originally envisioned was to provide all spots for public use after 4:30pm as we have done in the past years, if it's spots during the day, I am not sure what type of legal issues there may be there, if there are at all. I know we are currently addressing some of those with two factors we'll have during the construction; liability issues from the insurance standpoint of allowing others to park there, I would have to get a response on that from our insurance company as to whether or not we would be liable for any of that, but secondarily, we do have planned spaces that are going to be open for patrons that want to stop by the center and then maybe do some other shopping in the area, so there will be quasi-public spaces that are very similar to other structures that have parking spaces in downtown.

Mr. Miller: So you mentioned, where the four vacated spots are, the widening of the pedestrian area, certainly would make it a safer place for pedestrians and visitors and the like, I assume having known how downtown Juneau and actually all of Juneau feels about parking in downtown Juneau, that you probably considered stepping the first floor of the building back some amount in order to create the same space without vacating these, so was that ever considered and if so, why is this a preferable alternative to that?

Mr. Volker: It was considered and there actually are several relieved areas on the first floor, the zoning would allow to build to 00 on the property line and you can see on the graphic that the building was pulled back from the corner at Front and Seward precisely so some amplitude could be gained there at the corner. So, that is a step back in the building, so that these whole planted islands could be created. The canopy actually goes on the interior of that but this is exterior public closed the space. This is a step back and that is an area that would then be available for carving and demonstration or just safe walk to side walk, but the specific answer to your question is you see just a little bit of maybe the signatory space in the building is a ceremonial room that is modeled on a traditional Tlingit plan house and we have got the width of this lobby down to about as narrow as it could be and still serve as interior function, so two spaces on either side gave us a little more flexibility, but that center is important to come right to that ceremonial room and one of the issues this design involved is it originally did not have an arctic entry and I think there was some concern from user groups on things that you really needed to on this cold exposure. This got really tight. So,

we are still on the property, but we didn't have the ability to step back another 8 or 10 feet in that particular spot. I hope that helps.

Mr. Watson: Being that the petitioner that asked for some latitude on parking in your lot and I am not sure if I know Sealaska Corporation owns the building and property and I understand that Sealaska Heritage is a part also. I guess I am on more of the understanding that right now, it is Sealaska saying no or Sealaska Heritage saying no on our request for consideration for 2 public parking spaces in your lot.

Mr. Volker: Official action hasn't been taken up by Sealaska Corporation yet.

Mr. Watson: If Sealaska Heritage is requesting that Sealaska Corporation has not.., you haven't discussed with Sealaska Corporation yet?

Mr. Volker: Not the official request for....

Mr. Watson: That opens up some leeway for me to ask a follow-up question and that is we are displacing four parking stalls that will have dated in the letter from one of businesses that will have an impact on his business, I would view this certainly slightly different. I think if Sealaska Corporation would consider making 2 parking spots in its lot available on the 30-minute basis, we are not talking some of the component there and be there for hours on end, because, not to contradict you, but I am a frequent user of the downtown parking spaces during the lunch hour specifically. I have great difficulty finding a parking spot downtown and quite often I look enviously at your parking lot and then I move signs that are very aggressively stating don't park here or we will. So, unless Sealaska Corporation could address my concern for a couple of parking spots that will be for public use, 30-minute only, and then you guys can do your enforcement that you do anyway. I could see that as a step towards working collaboratively with the other businesses in the community and that is basically the crux of my concern on your request for vacating four stalls.

Ms. Lawfer: This facility is going to be a year-round facility, not only just for the tourist time period, but also as an enhancement to the educational programs within Juneau and quite possibly even the University, can we make that assumption as well. So it would be a year-round facility?

Mr. Kadinger: Absolutely, it would be open year-round.

Mr. Bishop: Is this a required vegetative area?

Mr. Volker: No, all the vegetation is done voluntarily or just as a bonus.

Mr. Bishop: Okay and then this interior area right here, can you tell me what that thing is for - just this little area, the little square adjacent to the vegetative area.

Mr. Volker: Of interior space, there is going to be a little potential for having, say a coffee stand or something there, but the exterior there, that's a carved panel on either side of the entry that goes a full three-story high for the signature art.

Mr. Bishop: You stated that your need for this is for public use on the First Friday, and other times when you are having activities and functions as such, and then school activities as well. Correct?

Mr. Volker: Correct.

Chair Satre: We will go ahead and open up for public comment on this item and then bring you back up to respond if needed. Would any member of the public like to testify in this item?

#### Public Testimony

Paul Thomas, Alaska Cash Liquor, I am doubly in favor of this project; it will be great for downtown Juneau. I have worked on several parking committees and worked on the parking situation downtown for Juneau for years and to lose 4 spots even for a great project like this, it's not good for downtown. The 80% parking is a bare minimum of what should be there for people to be able to pull in and pull out of parking. Like you say, lunchtime, to be able to go downtown, find a spot, go to lunch, but even more than that, for the attorneys or the short-time people where they come in and they have to run up and deliver a piece of paperwork and come back out if it's anywhere near 100% it's a disaster, it just does not work and people will move out of the area, flat out. All those types of business offices that have short-time needs for people to get in and out, will just pull out of the area. The effect of moving their parking area back to gain the thing is fantastic and it is a wonderful contribution, but as far as vacating the 4 spots on the other side, I don't see with the new areas they are creating will create a lot of an asset, with that 4 parking spots it's definitely going to create an asset, and then we move to Shattuck Way, which is going to probably need a loading zone in there at some point to their pallets and that kind of stuff in that certain parking spot, the spot that is in question already, because there has been talk about closing Shattuck Way, which I wouldn't really be in favor of either, to be honest; but we are not just talking about the 4 parking spots for this facility, we are also talking about potential spots on the other side as well eventually.

Parking has always been an issue in downtown. There has never been enough. We have an asset of a garage now and that garage is great for the longer-term people that are working downtown and that kind of stuff, but it is a totally different situation from the on-street parking. It is a different kind of situation for those people that need to get in and out for business or just coming in to meet for lunch at the restaurant or something like that and let's face it; everybody wants to be right in front of the place they are going to. That is just human nature and 80% is an absolute minimum of free parking that we need in downtown.

Ms. Bennett: I do not know if you had a chance to read it but I appreciated your letter as well, there was a letter from the owner of Shoe Fly shoe stores; did you read that? She said that she actually put instructions on her web site of how to navigate the new parking system and I was wondering at the end of the DBA or other business owners could collaborate to do something like that to inform the public of the availability of parking and help lead them in the way so that they would not be so frustrated in their attempt to find parking.

Mr. Thomas: In so far as the functioning of the meters and that kind of stuff, I do not think we are talking about availability of parking here, but we are talking about how the meters work and DBA has quite recently put out a little business card. You will see it sitting at the banks, and a lot of businesses around town that says, "Hey, push the green button." A very simplified version of "look

how we do it to get things” and you will find in most of your downtown business people will go outside and help people with the parking meters. There are also in the planning, I have not talked with them lately, there is supposed to be a software change to those meters, which is supposed to make it a little more simple. It got complicated to be honest, when parking in the parking garage did not have a two-hour free motion, because it made different zones, so that is why you have to go through and I have to take a step back on this because I was not totally involved in this, but that is why you have to go through the different steps for the municipal parking garage, the transit parking garage, and the on-street is because there is different zones now, but there is this opportunity that is supposed to improve that and DBA, I am sure, will be working on a new card to help with that result.

Chair Satre: Thank you for being here this evening, anybody else would like to testify this item. Seeing none, would the applicant like to come back up and address the commission?

Mr. Kadinger: I just wanted to make a couple of follow up points in regards to these spaces being in close proximity and you know when you really look at it, I mean, what closer proximity are these 4 spaces than what we are going to have right here. So, it's not something that we did not just testify and say, “oh, we are not concerned about that,” we really thought about that, but I think we are trying to look at a \$20 million investment in downtown and say, “how do we maybe change the viewpoint in how we look at the parking situation.” When we really thought about this and discussed it over the years and said, “you know we are going to be having evening weekend events and we have to begin to encourage those who are coming down to the center to utilize the parking garages that we have available. It's something that we are really looking, at encouraging all of our participants to use those parking garages as part of the solution and so, we could just as very well be saying, we want everybody to have on-street close parking, but I guess we want to have a bigger view of this and really change the way people view coming downtown and so I have to just stop right in front of that facility and then go in, go to the parking garage, walk 50 feet and walk a 100 feet to the facility and it is a very close proximity to that parking garage. It is not 3/4 of a mile, 1/2 mile away, it's not a long distance, it's just a very short walk; it takes 3 minutes of time to get into the parking garage and their stall and 3 minutes of time for the safe and pedestrian-friendly area. This is going to create just as many studies that show that parking spaces in front of a business help that business. Studies also show that more pedestrian-friendly areas that limit traffic and create a more pedestrian-friendly area increase the business as well. Living in New York, I recall many areas that had no driving and no parking. I appreciate the commission's time in reviewing this and weighing the public safety side of it and the public benefit side of it versus the business side of it. We have weighed the very same thing and I think we just have a very visionary different fundamental view of how to solve the parking issue, maybe than how it's been viewed in the past. Thank you all.

Chair Satre: Are there further questions for the applicant before we close public testimony? Seeing none, thank you both for being here. I appreciate the additional information. What is the will of the commission?

***MOTION:*** by Ms. Lawfer to allow ***CSP 2013 0010***, which is to allow to vacate 4 parking spaces on Seward Street and widen the sidewalk per the applicant's request.

Chair Satre: The motion will be to adopt new findings and recommend to the assembly approval of CSP 2013 0010, widening of sidewalk and vacation for on-street parking spaces. Discussion on the motion.

Mr. Bishop: Mr. Chair, I am going to speak against the motion. I appreciate what the applicant is trying to do here and I applaud it and I think it's a good idea. I think there are other ways we can do that wherein we don't impact the businesses in town. I think that it is not a fair tradeoff to make a public improvement that compromises utility of the space for residents of Juneau to use it for commercial purposes. I think we have seen before us today a lot of opposition to this from the stand point of business parking and business uses. What I would suggest is that we look towards trying to find the way to use this as convertible space, as a plaza for purposes of events when we are contemplating that. I think this is a perfect way for development of a public plaza. I think that would be a much more appropriate means of accomplishing your need to have a convertible space there, wherein we put boards across both ends of the street given the other parking lot is no longer going to be exiting into Seward Street. It would create a very user-friendly and very welcoming way to create an open space for meeting your needs. It doesn't exactly meet the needs of the school buses, but I think that could be arranged elsewhere and more people attending to the needs of the kids, I think shuffling them around is an important function, but I think we can meet the needs of both the businesses during the work week and during the daytime hours where we keep it open for parking and for through traffic, and where we perhaps can do something else on the weekend and the special events. I would speak against the motion for that reason, thank you.

Mr. Medina: Thank you, Mr. Chair. I will speak in opposition of the motion, although there is evidence that the widening sidewalks creates a more pedestrian-friendly environment, the adopted plan and supporting studies also document an insufficient supply of parking downtown and in order to widen the sidewalks on South Seward Street, 4 on-street parking spaces would have to be removed and this is not consistent with adopted plans and codes. Also, once that parking is gone, it is gone forever and it should have been widely stated how deficient parking is downtown and as the CBJ, we need to be cognizant of treating each individual and each entity thoroughly and evenly. Thank you.

Ms. Lawfer: I am speaking in favor of the motion and I am speaking with regard to the fact that while it has been identified that parking is an issue, I think that probably the other issue is with regards to shorter-term parking and free parking, which is often the case with regard to that. We have a Transit Center, we have both a garage that has been built by a number of different people, we are all paying for it. We also have the outside area with regards to that parking garage where it is basically the transit area and additional spaces down there, but the fact is city owns and manages that and can make policy decisions with regards to how those spaces are to be utilized to be paid for, etc., and so on, and I think that the city because we are in control of those issues, we can address the parking with regards to that. The second part the reason that I speak in favor of this is the simple fact that this is part of our comprehensive plan where we want to provide downtown areas and increase walk ability within the downtown corridor. I see that these places definitely add to the aesthetic of downtown, they add to the walk ability and the safety of this area with regard to the 4 parking stalls and individuals coming off of the park area over to the entrance way of the institute. My concerns are very specific with regard to, it's going to be enough to be watching for cars, let alone trying to find out if someone is going to be trying to parallel park in those spaces. I disagree



with Commissioner Medina with regards to once those parking stalls, the spaces are gone in the fact that, yes, at the current time they would be put into a sidewalk. I think that it is not like a building on top of them. So, I don't think that's something that you could say that they are gone forever because the building is actually not going to be a part of it, but it will be curbed. So, I am in support of this for the simple fact for 3 reasons that the city controls the parking within downtown and oftentimes it's not necessarily spaced that it could be policy usage and costing of it. Secondly, because it does fit into our plan with regards to the pedestrian access and widening of sidewalks and adding to the aesthetic of downtown. Thirdly, because the configuration of the building and the way that it is being proposed, I find that is probably the safest as with regard to the intent and the use of the building.

Mr. Miller: If the Planning Commission is either recommending approval or denial to the Assembly, if we didn't approve it and the Assembly concurred, could the applicant, if it was important enough to them to continue asking for these 4 spaces, reapply and in that reapplication state that they trade off 4 spaces out of their parking lot for these 4 spaces here if that was that important, would that be enough of a change in applications, so that they could apply again. Isn't there some rule about that?

Ms. McKibben: I would want to double check, I can tell you, you can apply for a rezone within 2 years, but let me double check on its use.

Mr. Miller: I would like to hear that before I speak in favor or opposition.

Ms. Bennett: I am involved with the shopping center in my personal life and why do so many people shop in shopping centers, there is lots of parking, it's open air, there is lots of room around us, all of the businesses, you are not coming down to a really constricted area and wondering about parking. One of the reasons that I really like this proposal is that it opens the downtown up a little bit. It gives more plants and more amenities that more of a pedestrian feel and I think if all kind of buildings that are well done influence the whole neighborhood, that's what the SLAM project is all about. It's influencing the whole Willoughby area by good design and good foundation. They are anticipating that the whole neighborhood of Willoughby area will be transformed over a period of time. The downtown area is in serious need of revitalization and one of the ways to do it is to produce a really good design and look into the future instead of looking into the past and if there's plenty of room in the parking structure, and all we need to do is educate the people that there is more room and help them to change their behavior and help them to grow into a bigger vision of what the community can be like. I think it's all for the good to consider that if people are going to come down to the downtown area and shop more than they do now, there's possibly some things about the actual physical way that the downtown is that makes people prefer going to a shopping center as opposed to coming to a narrow street and not having any place to walk around. Mr. Thomas was talking about how much the downtown area has been improved by covering in some areas with awnings and of course we are going to be talking about that in a minute, but I think we need to support a vision that really helps the downtown area to achieve a more modern and more aesthetic and by being so constricting and limiting and thinking in past tense instead of present and future tense, we are shooting ourselves in the foot and I think that's a stupid decision.

Chair Satre: Thank you very much Ms. Bennett. Ms. McKibben if you have made any progress on that, then I will go to Mr. Watson.

Mr. Watson: I appreciate Ms. Bennett's and Ms. Lawfer's comments. It is kind of disappointing, unfortunately, the Sealaska Heritage did not have the opportunity to discuss the possibility of making 2 of their spaces available to general public parking for short-term, but it is what it is and unfortunately now it's too late. I would speak against notion, but I would like to explain my reasons why. First of all, it's no secret that I strongly supported this project right from the get-go and if you recall, at our very first meeting when we were discussing, taking out of the circle district, I was one of the few people who spoke in favor of doing so. However, in this situation, I fall back to my business background and I spent many years in the private sector and I can tell you how valuable a parking stall is. Most of my experience with the exception of 2 sections of my life where I didn't work in urban and suburban areas, parking stalls were always controversial, even in the shopping center, I cannot tell you how often I had to go to the property manager and say, "hey, we have got people parking here because this is more convenient to go to the airport, we got people parking here because this is the best place to put your car for sale." Each parking stall has a value, the closer to the building, the more valuable it is. To displace 4 parking stalls is kind of a disturbance to the businesses. I think the copy business here is the most impacted. The further away the business is, the less impacted it is, and for that very reason, I unfortunately cannot see voting in favor of the motion. Again, it's disappointing that I can't, but I think in the case here where the city is actually the landlords', we are taking away 4 parking stalls from the businesses that operate downtown. If I were in a shopping center and my landlord came to me and said, "hey, I am going to take these 4 parking stalls and I am going to give them to a non-profit or I am going to give them to another use and they can no longer be used for the purpose of your business," I can tell you I can drag my lease off pretty fast and there would be a little contest, you-know-what session. Because that's not going to happen here, the only protection the rest of the public has is the Planning Commission. So, thank you, Mr. Chair.

Chair Satre: Thank you very much Mr. Watson. Mr. Medina, do you want to rest your motion again?

Mr. Medina: I would like to perhaps address a statement that Ms. Bennett made. With all due respect, you know, to characterize the decision that I make as stupid, I take offence to that. We all come from different backgrounds. We represent different items and we make our decisions rather than comparing them. We can agree to disagree with this, no problem, but to characterize this decision as stupid I just think it's inappropriate.

Ms. Bennett: I apologize. I didn't take it as an issue of the decision being stupid. I was just saying that we needed to look into the future rather than into the past.

Chair Satre: I want to take a moment here. Ms. McKibben is searching out an answer for Mr. Miller. So, let's take a 5 minute at ease, we are about at that point of easing where we normally do anyway. I just want to caution folks, please don't talk to the applicant or other members of the public regarding the motion and the vote we have coming up here. That would be not correct. So, we will take a 5 minute at ease and maybe we can address some other questions.

Chair Satre: We have everybody back and each commissioner has had a chance to speak to the motion, although Mr. Miller had a question for staff. Mr. Hart, Ms. McKibben, do we have an answer to that at this time?

Ms. McKibben: I am not finding anything in the code that says they couldn't bring back a modified CSP. There is no time on it. I can tell you with certainty there is a time limit on rezoning applications, but I am not finding one similar for Conditional Use Permit for the City State Project reviews.

Chair Satre: I might recommend to the Commission and I will come back to Mr. Miller to see if you want to make any more comments, I think it would be appropriate to try to get to a yes or no vote tonight. This will go to the Assembly. This is a non-appeals process, which is the next step in the CSP. If the motion is approved, then they can go to the Assembly and continue to make the case. If the motion is denied, we have done a very good job of putting things on the record, potentially the applicant can take some of those things and address Planning Commission concerns and make that case in front of the assembly. But, I think if we continue to try to sort everything out at this level, we are also getting in the way of the process of getting a building built, something that we have already approved the use and the all commissioners who unanimously approved the use, commissioners have been in support of the use going forward. We are dealing with the details now.

Ms. Lawfer: I just wanted to make sure that it was understood that I moved that we reverse the staff's recommendation.

**MOTION:** *by Ms. Lawfer to recommend to the assembly that we approve CSP 2013 0010.*

Mr. Miller: About a year and a half ago I started my own business and I can tell you that as a small business owner, the future and all these grand ideas are great and grand, but I feel for the small business owners' downtown and they are worried about paying their bills this month. They are not necessarily looking at this grand rebirth of downtown Juneau and I think the project is a great project and in my opinion, if there was some additional stalls in the adjacent parking lot, that could be made public it would be an easy trade off or, as Mr. Bishop suggested, if there was some manner of closing it when it was necessary, although that may not be as convenient or work as well as just trading off the spots, but the application as it is in front of us, I cannot support just because, I just have a very strong camaraderie or whatever you want to call it with the downtown businesses and parking is not easy to come by. When I come downtown, it is to run something up to building, apartment or whatever and it's tough finding a place to park.

Mr. Bishop: One final comment, I want to speak to the idea of relocating four parking spaces into the adjacent parking area. Things have a way of coming and going and four parking spaces in a private lot, I don't know how long that would last nor how well it would be assigned and available. So, I wouldn't feel very comfortable with that even if it were a feasible way to go.

Chair Satre: Now that everyone has had a chance to address the motion at hand, I will be brief. Many of my concerns have been addressed by other commissioners. Ultimately, we are considering giving public space to benefit a private entity and we don't do that lightly, especially the congested area like downtown Juneau. Parking down there has been in debt by 1000 cuts, not just these four spaces, but it is really the double stacking of spaces over here in the Sealaska lot. This is a great project. This is a wonderful project that will revitalize downtown area, but even wonderful projects need to color within the lines and I certainly agree with staff's original findings that this is not in

conformance with the plan, specifically the Parking Management Plan for downtown Juneau. So, with that, I will go ahead and call the roll.

**Roll Call Vote**

Ayes: Lawfer, Bennett.

Nays: Medina, Bishop, Miller, Watson, Chair Satre.

Motion failed.

Chair Satre calls for a motion to adopt staff findings and recommendations in denial to the assembly.

**MOTION:** *by Mr. Watson to accept staff findings, recommendations and deny CSP 2013 0010.*

**Roll Call Vote**

Ayes: Medina, Bishop, Miller, Watson, Chair Satre

Nays: Lawfer, Bennett.

Chair Satre: The motion has been approved and so this will move on to the Assembly with recommendation for denial and the adoption of staff original findings and recommendation. So, now we will move on to the variance. We will adjourn the Planning Commission and reconvene as Board of Adjustment and we will take up Variance 2013 0014, a variance for deletion of canopy requirements along Shattuck Way. Applicant, MRV architects. Location, 113, South Seward Street. We are in the same situation on this item as we were in the past. I believe Mr. Miller put the original motion on the floor. Would you like to withdraw that?

Mr. Miller: I would withdraw that motion.

Chair Satre: Thank you very much. With that the Commission would like to reopen public comment on this item.

**MOTION:** *by Mr. Watson to open public comment for additional comments from the public and the applicant.*

Chair Satre: If there is no objection to the motion, can we have that on the table. We will reopen public testimony, but we will defer to commissioners if they have questions for staff before we start.

Mr. Miller: I see in the blue folder, there is an item from the deputy fire marshal, the last session. So, I read the whole thing and it looks like he is going to have a nice clear concise and definitive final sentence and then I read the final sentence and it's not as clear and concise. I was hoping it would be, so can you add some clarity?

Ms. McKibben: I was also hoping for something clear and concise. We had conversations with the deputy fire marshal and the fire marshal and the feedback that we get from them is that in general, they are not in favor of canopies across the board. Canopies don't extend past the sidewalk into the street. As they said here, they also don't use Shattuck Way typically, although they have said that

there may be occasions when they might try to access that. So, I don't know, take from that what you will.

Chair Satre: Any additional questions for staff before we leave the applicant? I see none. Mr. Kadinger and Mr. Volker, would you like to address the Commission on the variance?

Mr. Kadinger: Our initial concern with the canopy along Shattuck Way obviously with the building that was originally on our lot and destroyed by a fire and that we are rebuilding on that space with a collection, probably exceeding \$30 to \$40 million worth of priceless, irreplaceable items and the potential that a fire truck couldn't get in there, if needed, because of the constraints a canopy would cause you have some serious concerns about that. Now, I recognize that the Fire Department stated that they would not use it to get through Shattuck Way and I think this is an important difference I hope the Commission considers as going through versus getting access to. I recognize that would go through Shattuck Way behind City Hall or would be able to get a fire truck in there; however, if there were a fire and as fire department said, not if, but when the building next door, the Tinder Box starts on fire, there may be the need to have access to that area. If we have canopy that prevents that, are we willing to jeopardize our community's treasures under the views they'll be replaceable because of excitement over a canopy. I am not dead set against it, either way the commission decides we will be happy to comply it doesn't really matter, but for me it was something that we can't replace the stuff, then if the fire truck may need to have access there, I don't want to close the door, and at the time say, boy, if only we didn't have that canopy be here. Again, that's all I have to say, so thank you.

Ms. Bennett: I am wondering if you've considered the possibility of a canopy that can flip down in case of – be on hinges so that it could, you know, make it easier for a fire truck. Is that something that, design-wise, would work or not?

Mr. Kadinger: We are on a pretty tight budget already and the building is probably going to exceed our cost expectations and the amount of funding that we have available. Elaborate contraptions that raise or lower would probably be out of our price range from what we could afford.

Mr. Volker: Canopies are surprisingly difficult, you know, they are done all around town but they have a very heavy snow loading, and you know they are subject to all the horizontal rings just sitting on them. So, it's possible theoretically, but I've never seen one, and it also raises the issue of even getting in a door by the Fire Department is tricky and having ways to operate mechanisms and stuff in the time of emergency is probably impractical in my observation.

Ms. Bennett: Okay and thank you.

Ms. Lawfer: I am going to ask with regards to your building and then I am going to rely on some of your explanation Mr. Volker with regards to the downtown area. I am assuming that your building will be sprinkled.

Mr. Volker: The Sealaska building will be.

Ms. Lawfer: Do you know within that block, Shattuck Way, Seward Street and Front Street, how many of those buildings are sprinkled?

Mr. Volker: I don't know the answer to that, but it's mixed and I know there've been discussions, and I am sure you guys have been involved in trying to incentivize ways to get the older buildings to adapt and renovate with sprinkling and I think we are going to continue to peck away at it over time, but I don't know for sure, for instance, if the building right across Shattuck Way is sprinkled or not and I do know that fundamental construction is wood with lots of layers padded over decades, like the old Ace Hardware that is on the building site now. They are tricky, they are problematic buildings, and many of them go back to the turn of the century and they are all cheek to jowl and odd geometries and that particular group of buildings is a legitimate cause for concern for the Fire Department.

Chair Satre: Questions for applicant? Ms. McKibben, do you have a clarification.

Ms. McKibben: I just wanted to point out, after looking at the deputy fire marshal's comments, that they need a minimum width of 20-feet for fire apparatus and Shattuck Way is less than 20 feet wide.

Chair Satre: Mr. Thomas did you want to testify on this item?

Mr. Thomas: No.

Chair Satre: Okay. I don't think Mr. Thomas wants to testify on this item. So with that, any final comments, Mr. Volker, Mr. Kadinger?

Ms. Lawfer: I do have a question with regards to that. Because based on the fire marshal's first sentence, that's where I get a little concerned about that word, it says, Shattuck Way is not primary, it still serves as a fire apparatus access road.

Ms. McKibben: I am equally confused, because the public they can't use the road that's less than 20 feet wide, so then they are telling us that we will use Shattuck Way, which we know is less than 20 feet wide.

Chair Satre: Mr. Watson, something to add on that?

Mr. Watson: Yes Mr. Chair, thank you. I know that in Juneau Fire Department has more than one size vehicle, and I think in an emergency, they would do whatever they have to do to get a piece of equipment down there and the less encumbered they are, the larger the piece of equipment. I am pretty sure in conversations that I've had with these folks over the years that any access is better than no access.

Mr. Volker: To follow on that we did have several pre-op conversations. I think Mr. Jaeger said that there is a distinction between taking the fire truck down the alley which you said they could do versus turning on Front Street which is problematic. I think that's what's getting lost a little bit. If there was a huge event they probably would take a piece of that apparatus down, but then when it was done they would have to laboriously back that out because they couldn't make the turning radius

but they are like 8 foot 4 inch wide vehicles or something so they can obviously get down a 13 or 15 foot wide alley way.

Chair Satre: Further questions for the applicant before we let them go? Anything the gentlemen want to provide before we close up our testimony. Thank you again for being here. Actually, since I haven't closed it I have a question for you, I had forgotten. In your letter of April 3, 2013, you provide alternative findings from staff in terms of finding ways to approve this and if we were to make a motion to approve and accept new finding, I assume it would be acceptable that we use your findings to support the variance. And then I do have one question, when it talks about the first side that we are supposed to consider on variances is that relaxation applied for or lesser relaxation specifies the Board of Adjustment get substantial relief, and the owner be more consistent with the other property owners, I followed your arguments, the last sentence, is there are no other properties that include canopies along Shattuck Way at present, given the narrow width and low pedestrian density, but I believe there is a canopy on the building that you'll immediately back up to, it's a small canopy, it covers a piece of the sidewalk.

Mr. Miller: On finding number 2 under– the relief can be granted in such a fashion that the intent of this title will be observed and then public safety and welfare be preserved.

Chair Satre: If you just put the applicant's findings?

Mr. Miller: Yeah. I was just reading it.

Chair Satre: Okay.

Mr. Miller: Then you say here that for the practical reason listed above, the width and use of Shattuck makes the end position for additional covered canopy impractical. There is no reason why public safety and welfare is affected negatively given the addition of comfortable \_\_\_ of the majority, so I'm having just a little bit of hard time with number 2.

Chair Satre: I think it might be good to hash out some of the concerns with the applicant's findings. Because we don't, and if we were to make it, and I think we do get to the motion process, it should be a motion to approve findings that are based on this with any tweaks and then we can have our discussion. We could have some interaction here. If you want to follow up more specifically, Mr. Miller?

Mr. Miller: Yeah, I was trying to figure out how to word that, but you are kind of pushing me in the right direction. If the public safety and welfare would be preserved and what you are stating is there is no reason why public safety and welfare is affected negatively, right?

Mr. Volker: I can perhaps try to get out what we – earlier in the project and we did have conversations with both Fire and Police in this area and there was real lukewarm or mixed opinion on this collective value of having a canopy and I think all of us were surprised a little that fairly late in the project, the canopy came up as a very large and kind of controversial element. I think, at least to characterize my sense of the selective discussion on this was that that obviously Front Street was a huge pedestrian carrier, Seward Street was being improved substantially and a huge pedestrian

carrier. There has been some apprehension and a mixed feeling of what Shattuck Way means and some people. I think speaking for the Police Department, I can't give you the individual who made the comment, said that you could look at it as a way to promote negative loitering in a dark, not very visible and supervised area that allowed people to sort of be there undercover and maybe not in the most desirable circumstances. So, that's an opinion and it's kind of hard to – and then coupled with that with a sense of the Fire Department access being impinged a little bit or a lot, weighed down on balance with the huge obvious value of the canopies on Front Street and Seward and that's what leads to this little bit based on this statement I agree with you that ,which would refer to general sense of ,are there really very many pedestrians you are serving and there are some potential other negatives of loitering late in the evening or something where it's not a very supervised spot and it's the back of buildings.

Mr. Miller: Your belief that actually by building the canopies we would negatively affect public safety.

Mr. Volker: That's what we are getting out here in this statement, that it may not be a net benefit compared to the obvious benefit on the other two big spaces.

Ms. Lawfer: I was just going to add on to that with regards to number 2 that the public safety be preserved in the fact that – I think about the fire that we just had downtown and the fact that they were able to come in on 3 sides, actually 4, because then they went up on Gastineau Avenue. And to be able to come in on those sides – I mean we kept a huge disaster – I mean we averted and kudos to the fire department, but they came in, initially on all 3 sides. And the thing that I have with regards to – if the canopy goes up and I am relying on the fire marshal's first sentence that it serves as an access for Shattuck Way, and then the canopy is actually going to make it tougher with regards to access. I think about – if you take that away as an access point for fire and now you only have 2 access points. Because most of them were not going to have a backside like Gastineau Avenue. You know, my concern is these buildings in that block and the one building in particular that I am thinking of with regards to coming in on all three ways would be the Gross Building, which we know does not have sprinklers.

Chair Satre: I want to do here is, because we are getting close to the discussion, if we've got specific questions on the applicant's proposed findings, this is a good chance to sort those out before we go to discussions, does that answer your concern.

Mr. Watson: Yes.

Mr. Medina: Thank you. Yes, my questions to the applicant. You made a statement earlier about the canopy drawing loitering and being a potential dangerous situation. Do you have any document to substantiate that or is that more of a subjective statement?

Mr. Volker: That was subjective. I don't know Ms. McKibben if you were at that meeting, maybe not, it was just kind of a courtesy pre-op conversation with planning that organized several city departments. So, it wasn't our observation, it was a police officer's observation.



Chair Satre: Any further questions for the applicant before we close public testimony? Gentlemen, I thank you for your indulgence on the variance criteria. We'll go ahead and close public testimony. Any further questions for staff? What's the will of Commission, Mr. Miller?

**MOTION:** *by Mr. Miller to approve Variance 2013 0014 with new findings.*

Mr. Miller: On finding number 1, I actually would go to staff findings and so here it says the applicant suggests that the variance request is consistent with other properties in the area because the requirements for canopies in the district are a relatively new requirement. To a certain extent, this is accurate because there is very little opportunity for new development in this area of town. Therefore, no new canopies have been required for new construction since its adoption. The relaxation would provide substantial relief to the owner of the property because they would be spared the cost of installing a canopy along 87 feet of Shattuck Way façade, but I would add a comment at the end of that and I would say, but they are going to build canopy along, however, many hundreds of feet that they are going to build. I think, just with exactly what was written there, they can actually say that it's met with exactly the same wording.

Ms. McKibben: I am just asking for a clarification when you talk about canopies if there are on the buildings, are you referring to the 30 some odd feet on Shattuck Way or are you referring to the canopies on the other two sides of the building?

Mr. Miller: I would include all of the footage of the entire building.

Chair Satre: All right and I am sorry, I wanted to make sure Ms. McKibben had that correct. Please continue.

Mr. Miller: Number 2, I think that I would use the applicant's number 2 where the intent of Title 49 is to ensure the growth and development is in accordance with the values of Juneau residents and to secure the beneficial impacts while minimizing negative impact. And then I would comment that for the practical reasons listed above, the width and use of Shattuck Way makes the positioning of additional covered canopy impractical. Here I would insert the letter that was from the deputy fire marshal to include his comments that they are generally opposed to any canopy construction, and then I would change the last sentence of that where it says - there is no reason why public safety and welfare is affected negatively given the additional comfortable canopies along the majority of the building, so I would get rid of that entire last sentence and I would state that Shattuck Way per the deputy fire marshal, although it still serves as a fire apparatus road, it serves at a defensible corridor and fire apparatus access for tactical operations and since this doesn't meet full fire apparatus definition. Building a canopy would actually make it worse. That would be number 2. Number 3 was already met. Number 4 is already met. Number 5c, it'd be unnecessarily burdensome because unique physical features of the property owner to render, compliance with the standard being unreasonably expensive. Okay, so who else has a property that has three road frontages right downtown. That is a unique physical feature that makes it unreasonably expensive, period. I think that's a completely accurate statement. Number 6, the grant of the variance would result in more benefits than detriments to the neighborhood. The whole project is a huge benefit.

Chair Satre: So, potentially use the first 2 sentences of staff's findings and end it there.

Chair Satre: On number 6, it would say, currently the site is unused, redeveloping the area would add vitality to the neighborhood. Do we have a motion to approve the new findings, discussion on the motion?

Ms. Lawfer: I would like to offer friendly amendment with regard to 5c and literally, we've got the language already in. I do believe it is in – I think we've put it in number 2, but the fact that they have already canopied so many feet. They have gone through the expense of canopying the building, just not the entire 87 feet along Shattuck Way. It's basically the same information. Adding that shows me that they have met that with regards to 5 feet.

Mr. Miller: With the exception of half sides of the three sides already in. Most people only do one side.

Ms. Lawfer: Correct.

Chair Satre: That works for you Mr. Miller?

Mr. Miller: Yeah.

Chair Satre: Further discussion on the motion?

Mr. Medina: Yeah, thank you Mr. Chair. I will speak against the motion. I think Mr. Miller as always done an excellent job articulating the findings. However, I can agree with everything except finding 2. Finding 2 it says that relief can be granted in such a fashion that the intent of this title will be observed and public safety and welfare would be preserved. I think he covered the public safety and welfare being preserved, that was covered. However, I still question that the intent for this title is observed because if it violates canopy requirement Title 49 therefore the intent of this title would not be observed. The values of Juneau residents are articulated to various plans adopted by the CBJ. The various plans speak to covered pedestrian ways and canopies in the downtown mixed use area. Therefore, I speak against the motion.

Ms. Bennett: Several months ago, we were working on the application of Miners Mercantile and there was a discussion that came down from the Historic Resources Committee about a previous design of a major canopy over Shattuck Way and the vacation of that street for pedestrians, and we decided to wait. Mr. Miller suggested that we try it out on a 6 month basis and I was arguing – I don't remember how it actually came down, but probably he won – he usually does, that it was better to wait until the Sealaska Building was built and see how the configuration works out before we implemented a pedestrian-only street and everyone was in agreement that it was probably going to be a staging area for the construction of the building anyway. Do you remember how that came out and what we finally decided?

Ms. McKibben: I don't remember because I didn't participate in the discussions, but I did do some research and it's on page 3 of the staff report. It says on April 12 CBJ received request to close a portion of Shattuck Way, which is between the Municipal Way and Front Street to vehicles. Planning Commission's recommendation to the Assembly was in support of the request. The Public

Works and Facilities Committee considered this request in March 21, 2012. And according to the minutes, they forwarded it to the Committee of the Whole without a recommendation. And as far as I was able to find out that the assembly decision was tabled, pending decision on this application, not the canopy, but the cultural center.

Ms. Bennett: Okay.

Mr. Volker: Shattuck Way may never come back as an issue, and I just want to say that that's what I've been told.

Chair Satre: At the assembly level. Further discussion on the motion?

Mr. Miller: Do you have a copy of Title 49 here?

Ms. McKibben: I do.

Mr. Miller: Is there an opening paragraph that states that the intent of it is?

Ms. McKibben: Of the canopy?

Mr. Miller: No, what the intent of Title 49 is?

Ms. McKibben: Title 49. This is the intent, to achieve the goals, objectives, and implement the policies of the Juneau Comprehensive Plan and Cultural Management Program. To ensure the future growth and development of the city and borough is in accord with the values of its residents. To identify and secure for present and future residents the beneficial impact of growth while minimizing negative impact. To ensure that future growth is of appropriate design, type, location, and is served by proper range of public services and facilities such as water, sewer, and electrical distribution systems, transportation, schools, parks and other public requirements and in general to promote public health safety and general welfare. To provide adequate open space for light and air. To recognize the economic value of land and encourage its proper and beneficial use.

Mr. Miller: Thank you. I will rest.

Chair Satre: Further discussion on the motion?

Mr. Bishop: I am struggling with this one. because, like Mr. Miller, I think this is an unusual situation where it has three sides of the structure facing a public way and it is a burden to put canopies on all three sides, but like Commissioner Medina, I believe that's the intent of the title and it's been expressed by the public, as such, in our new ordinance and I think that in many ways it would be a travesty to give a variance to the first time it's come along to a situation of where we are able to enact this ordinance and give a variance to it. I am uncomfortable with that and at the same time, I am comfortable putting the burden on the public entity that's trying to do a public structure that benefits everybody in the community. I guess, I am going to have to fall back and say, I think that Mr. Medina is correct, it doesn't meet the intent of the title and I am going to have to speak against the motion.

Ms. Lawfer: I am speaking in favor of the motion and the reason that, in reviewing and looking at Title 49 that I do believe that the intent of the title is met in the fact that we are looking at a reasonable development according to how we have laid that out, but then we also have to address health and safety issues and as such, access with fire apparatus to me was the one thing. When you look at those I think the intent is that there is coverage for pedestrian walkways. That is being met with what we've discussed as they have put in canopies on that building, and then secondly, the fact that to put that in the absolute intentions that you have to have three ways and they all have to be canopied I feel that that puts us in just the position with maintaining the health and safety of not only that building, but other residences within that area.

Mr. Watson: Thank you Mr. Chair. I would speak in favor of the motion. I believe Mr. Miller did an excellent job in addressing each of the points. Most importantly, I think that by requiring a canopy down there more than anything else that concerns me is the safe access through there for fire equipment, fire rescue might be the best way to describe it, but I think it does put an unnecessary burden and I don't know if there is any other building in downtown that falls into this canopy ordinance that would have to put a canopy on three sides of their building. I don't see it and I suspect if there were we would probably be sitting here listening to a variance to the same request. Not that that's a reason to approve or disapprove, but I think it's important when we are done with this that we look at this subjectively and recognize that this project meets the intent and I think that we'll have a quality project that everybody will be happy with and I don't see putting any more burden on the developer than has already been done through the building permit process. I will speak in favor of the motion. I suggest my fellow commissioners to do the same.

Chair Satre: Thank you very much, Mr. Watson. Ms. Bennett, I believe, because you had a question for staff before, do you want to speak to the motion?

Mr. Bennett: I am going to speak in favor of the motion for two points. First I agree with most of the other commissioners that canopies on two and a half sides of the building are sufficient to the intent of Title 49, but I also remember from our previous discussion of Shattuck Way, the whole issue, it is basically an alley and as such, we were concerned about a fence on the construction side of shadowing it and creating a loitering problem or a place for people to loiter and get into trouble and I remember that when we were talking about Shattuck Way earlier, and I think those two points are important, as well as, the fire issue. I'll vote in favor of the motion.

Chair Satre: Okay. Thank you very much Ms. Bennett. I believe everyone has had a chance to speak to the motion. I have a few points that I'd like to make, but Mr. Bishop?

Mr. Bishop: Mr. Chair thank you, I would just like to retract my previous statement. I think after listening to the commissioners, I think I can also support the variance. I think that there are some overriding situations in health and safety and fire apparatus needs. So, I think that overrides, especially given that they are providing canopies on the side that parallels on Seward Street. Thank you, Mr. Chair.

Chair Satre: Thank you very much. Ms. McKibben, can you go back to the presentation please.

Ms. McKibben: Yes.

Chair Satre: Can you go to the sheet number A109, the plan view, joint Shattuck Way and the area of the variance?

Ms. McKibben: I can.

Chair Satre: I really appreciate commissioner's hard work to approve this motion and I can almost agree, but the problem is the way I read the map, you might want to look at A109, they are still building a canopy on the corner and the area that variances from here to here. So, at the very point that is most constricted, we are still building a canopy. We are still restricting access by fire apparatus at that point, so I can't buy that argument that we have to eliminate a canopy to provide for fire access. I will speak against the motion, because I believe that covered walkways from our parking area such as the Marine Park Garage towards the center of our downtown core are very important. We have a covered walkway that you can get to on this building to the next building across the street, and once this is built, and the variance is denied, you will have that covered walk way that goes all the way up, you have multiple options for covering. I don't believe this in anyway inhibits the safety and welfare and I believe that in terms of justice to other property owners, we made a stand on the ordinance and said we are building canopies and I concur with certainly the staff findings on that. So, that's what I would like to point out in terms of the canopy coverage. With that, I would like to call the roll.

**Roll Call Vote**

Ayes: Lawfer, Bishop, Bennett, Miller, Watson.

Nays: Medina, Satre.

Chair Satre: The variance has been approved, thank you everybody, and thanks folks for being here.

**X. BOARD OF ADJUSTMENT**

**XI. OTHER BUSINESS**

**XII. DIRECTOR'S REPORT**

Mr. Hart: One item for the Director's Report, and that's just a reminder that the Noise Ordinance is not coming before this body. The Noise Ordinance has been removed from those sections of code that you would normally have authority over. It's been a reduced Noise Ordinance. It's not as – I think that's the right way looking at it, but we provided to you in your packet tonight – we can provide you the document if you wish to review it. At this point, that was the instruction I was given from the attorney's office.

Chair Satre: Questions on the Noise Ordinance?

Mr. Watson: Just one question that's on your page 3 of 6 of the document. Item B, Baker Construction of buildings and projects. They've stricken out "before and after Monday through Friday and Saturday/Sunday", and that's a real bone of contention with neighbors when they are

abutting, say a commercial area or more importantly such is something that was discussed with the commission not too long ago, where neighbors are concerned with noise before and after stipulated hours. It really makes it more difficult for the Planning Commission out of concern for the neighbors, and it could, discouraging to hear, it says unless the permit shall first be obtained, but if you issue a permit, will you stipulate hours?

Chair Satre: Hours are stipulated in this table.

Mr. Watson: Okay.

Chair Satre: Mr. Watson raised a good point. I mean we don't have, under Title 42, the same powers that we do on Title 49, but these issues will come up against us. I appreciate the clarifying.

Mr. Watson: Thank you and I'll pass that along.

Mr. Miller: When it left our little show last and I was still arguing on the 53 decibels thing that night and I was assured was that we were going to get that back in front of us and so that I could continue my due diligence on fighting the 53 decibel. So, my wife and I sitting on our porch, you know, and I don't smoke, but she does, and so we sit on the porch in the evening and we carry on a conversation, we are more than 53 decibels, and we are just talking, right now I am talking more than 53 decibels. So, to me, I know that we are not, in front of us again, but I just want to pass that along that 53 decibels is really an unrealistic number.

Chair Satre: I believe Mr. Hart heard you.

Ms. McKibben: I have a comment when you are done with the noise ordinance.

Chair Satre: Okay. Any other comments or question about noise ordinance. Something about good intentions in the past. For those of us who were around for most of the noise ordinance discussion we had good discussion, we brought up few good points, I think we appreciate the assemblies. I mean it's still going to be a very controversial move, but we appreciate the assembly, who knows, maybe someday we'll see things back again, but not in the near future.

Ms. McKibben: We wanted to point out in the CSP for Riverside Drive, is that DOT, should get a real shout out for doing good work and making modifications. And the other is that the Clerk's Office has received Notice of Appeal for the Honsinger Map Amendment case.

Ms. Bennett: I am wondering, it's been at least a couple of months now that we haven't gotten reports back from the different committees that we all belong to.

Chair Satre: That is on our agenda this evening.

Ms. Bennett: What is?

Chair Satre: We actually have time to do it this evening. So, do we have questions for Director's Report?

Mr. Bishop: I would like to follow up on what Ms. McKibben was talking about the appeal, and there was some discussion regarding the appeal ability of that, I'd like to hear if there are any more comments on that at this time.

Ms. McKibben: My understanding is that the Clerk's Office has asked that question of the Attorney's Office. My understanding from conversations that our office had with them earlier is that it is an appealable decision, but things change.

Mr. Bishop: Has not yet been resolved by the Law Department.

Chair Satre: Calls for any other questions? So now for the first time in many meetings, report of regular and special committees. Who is going to report?

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

Ms. Bennett: We usually have written reports as part of our packet from Lands and from Public Works, and we haven't been getting those lately.

Chair Satre: Did we request those minutes?

Mr. Bishop: The Lands Meeting hasn't met; we haven't had a staff member to direct it. So, it's quite a vacancy period on that and Public Works, our meeting was canceled.

Chair Satre: I agree with Ms. Bennett, I would like to have the minutes. I mean it's good to get our commissioner's insight, but did any of our regular standing committee meetings meet?

Mr. Miller: Wetlands Review Board met last week and I was unable to attend.

Chair Satre: Excellent, and I know that maybe with some luck, our plate is starting to free up a little bit and we can get our Title 49 Committees back up and running and do some work, but, maybe Mr. Hart and I can chat offline about that.

Ms. Bennett: I want to mention again that the white papers over the housing issue, have they come out yet?

Mr. Hart: No, but one thing that I was working on with the City Manager's Office with regard to that is there is going to be an Ad Hoc meeting this week for Housing and it will be, I believe, Thursday at 3:00pm, and we have a laundry list of issues that we will be addressing, and so the Ad Hoc Committee will resolve or will be done once they make a recommendation to the full Assembly. The plan is to take the laundry list for the items that the Assembly wants to pass and disperse it off that to each of those committees; so Public Works Committee might get one, Lands will get one, and there will be several others. I made a recommendation for 5 of the issues to go to the Public Works today. That's looking at the cost of subdivisions. We will be looking at how we could reduce those costs of subdivisions and/or to housing through the subdivision or things like that. So there are some complexities; we'll be tackling it, and we will all cycle back down to the Planning Commission if

there is going to be any real change to those ordinances that would come back the Planning Commission at some point.

Chair Satre: Any other Planning Commission comments or questions?

Mr. Watson: If when you give your news release to KNY, if you would include the comment that Ms. McKibben made on behalf of Planning Commission, because I have to tell you that the intersection is probably one of the more dangerous ones in town because of the increase in apartment development that's going across the other side of Egan, all the shopping, etc., that will take place across the streets and so on, it's going to be a big-big benefit?

Mr. Hart: Would you like to give me a quote that I can then throw at these people.

Mr. Watson: I am terrible at quotes, but let me see if I can do that. I guess in summary, it's a very important and necessary project, long overdue, especially the sidewalks on either side. I see it all the time because I live in that neighborhood. Commissioner Miller and Commissioner Bishop drive down that road as well.

Mr. Hart: I will do that this evening.

Ms. Lawfer: It was very nice to have a joint meeting with the Assembly last time, even just to go through that, and so, I think that quite possibly the next one where we could do something joint is with this Housing and the white papers coming down and, you know, possibly a way to kick start the fall with regards to that, we will put the next meeting, next to the agenda maybe for the first couple of meetings, so that we look at it as valuable and not just another meeting of all of us. Secondly, is that I wanted to make sure that as Commission members know about the public workshop on the Off Highway Vehicle Park, which is Thursday June 20<sup>th</sup> at 7 o'clock here in the Assembly Chambers. Parks and Rec and everybody has been working on this for a long time. I know that Commission was involved with it prior to what I was involved with it, and that there is a proposal from a national organization coming down with regards to that spot of 37 miles, so that's going to be Thursday, June 20 at 7 o'clock.

Mr. Miller: I just wanted to point out that Ms. McKibben is our, new Chief Planner and I think that's a good choice.

Mr. Hart; Thank you, we've had a great replacement for director.

Chair Satre: One final note, the item on regular agenda, the Launch Ramp, which is on the agenda at the next meeting. I will be out of town. Mr. Watson will chair the meeting and I should be able to call in, but I can't Chair the meeting. That will be a night where we we'll have a lot of public testimony, so I'll make sure I'll be calling you.

#### **XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS**

#### **XV. ADJOURNMENT**



**MOTION:** *by Mr. Miller to adjourn at 9:27 pm.*