

MINUTES

PLANNING COMMISSION
CITY AND BOROUGH OF JUNEAU
Mike Satre, Chairman

REGULAR MEETING
November 12, 2013

I. ROLL CALL

Mike Satre, Chairman, 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 7:02 p.m.

Prior to the commencement of the meeting, the Commission honored member Marsha Bennett, who has left her tenure with the Planning Commission in order to move down South, with a small dessert reception.

Commissioners present: Mike Satre, Chairman; Dennis Watson, Vice Chairman; Nathan Bishop, Jerry Medina, Karen Lawfer, Nicole Grewe, Ben Haight, Dan Miller

Commissioners absent: None

A quorum was present

Staff present: Hal Hart, Planning Director; Travis Goddard, Planning Manager; Beth McKibben, Senior Planner; Laura Boyce, Senior Planner; Ben Lyman, Senior Planner; Eric Feldt, Planner II; Chrissy McNally, Planner I; Carl Uchytel, Port Director

II. APPROVAL OF MINUTES

- October 22, 2013 – Special Planning Commission Meeting
- October 22, 2013 – Regular Planning Commission Meeting

MOTION: *by Mr. Miller, to approve the meeting minutes of the October 22, 2013 Special Planning Commission meeting, and the meeting minutes of the October 22, 2013 Regular*

Planning Commission meeting, with any minor corrections or modifications provided by any Commission members or by staff.

There being no objection, the minutes from the above meetings were approved.

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

IV. **PLANNING COMMISSION LIAISON REPORT** - None at this time

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

VI. **CONSENT AGENDA**

CSP2013 0027: Lemon Creek Road Reconstruction to include installation of a sidewalk, storm water drainage, and reconstruction of the bus turnaround.

Applicant: City and Borough of Juneau

Location: Lemon Creek Road

Staff Recommendation

Staff recommends that the Planning Commission adopt the above analysis and findings, and recommend to the Assembly authorization of the reconstruction of Lemon Creek Road to include installation of a sidewalk with cross section provided and improved drainage.

VAR2013 0018: Variance request for AKDOT&PF to conduct road rehabilitation along Egan Drive within the 330 foot required setback of an eagle nest.

Applicant: Alaska Department of Transportation & Public Facilities

Location: Egan Drive

Staff Recommendation

Staff recommends that the Board of Adjustment adopt the Director's analysis and findings and approve the requested Variance, VAR2013 0018. The Variance permit would allow for road maintenance within 330 feet of an eagle nest along Egan Drive.

VAR2013 0019: Variance request for AKDOT&PF to conduct road rehabilitation along 6 miles of North Douglas Highway within the 330 foot required setback of three eagle nests.

Applicant: Alaska Department of Transportation & Public Facilities

Location: North Douglas Highway

Staff Recommendation

Staff recommends that the Board of Adjustment adopt the Director's analysis and findings and grant the requested Variance, VAR2012 0019. The Variance permit would allow for rehabilitation and repair of North Douglas Highway from the Douglas Bridge roundabout to Fish Creek Road within 330-feet of three eagle nests.

MOTION: *by Mr. Miller, to approve the consent agenda as read with staff's findings, analyses and conditions.*

The motion was approved.

VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS - None

VIII. UNFINISHED BUSINESS

INQ2013 0004: Presentation on Egan Drive reconstruction between Main Street and Tenth Street by DOT&PF staff.

Applicant: Alaska Department of Transportation & Public Facilities

Location: Egan Drive

Chuck Tripp, Engineer II with the Alaska Department of Transportation and Public Facilities (DOT&PF), presented the Commission with the second variation of the project, which Planner Ben Lyman explained was reconstruction of Main Street to Tenth Street (to the Juneau/Douglas Bridge).

Mr. Tripp reviewed that the goals of the project are to resurface Egan Drive between Main Street and Tenth Street, and to repair the retaining wall that is located along Merchant's Wharf. The project also encompasses the improvement of pedestrian facilities, as well as the addition of bicycle facilities.

Currently, the Egan Drive corridor is not constructed to accommodate bikes, explained Mr. Tripp. One of the goals of this project is to make it possible for bicyclists to use the Egan corridor in concert with motorists. Mr. Tripp said there are a number of cyclists residing in Douglas, for example, who would choose that mode of transportation if the accommodations were better for them in town.

Another need exists near the Wharf building, where there are very narrow sidewalks which are not adequate to accommodate the large number of tourists during the summer. There are also wheelchair ramps out of compliance with the American with Disabilities Act, and also a demand for better-located cross walks.

One of the big challenges of the project is the limited capacity to widen the space. In the vicinity of the Wharf if the area is widened, it affects the Wharf building. On the other side of the street, there is the Goldbelt Hotel. Subsequently, one of the challenges of the project is to make better use of the existing space.

The project is also operating in a high-traffic environment. The question is how to make space available for pedestrians and cyclists without a negative impact on the vehicular traffic, said Mr. Tripp.

Mr. Tripp said the initial draft of the project was available in the spring for comments, and that a number of comments voiced concern over traffic backing up in the corridor, especially during the tourist season. High bus and truck traffic were also concerns.

The initial proposal included two lanes merging into one lane between Whittier and Willoughby. That proposal was not received well by the public. The initial proposal also included a widened sidewalk between the bridge and Whittier and converting that to a shared use path for pedestrians and cyclists. That option also raised safety concerns for specific conflict points.

The current project version between the bridge and Whittier involves a cycle track for cyclists. This is differentiated from a bike lane in that a bike lane is separated from traffic by only a stripe of paint. Mr. Tripp said given the traffic volumes and the speed, they wanted to provide a more substantial division between the cyclists and the traffic.

The cycle track will move in the same direction as the traffic. It would also be separated from pedestrians. Mr. Tripp said a cycle track is planned for both the seaward side and the landward side of the street between the bridge and Whittier. They would use a combination of narrowing the lanes and the median to accommodate the cycle lanes on each side of the road.

Between Whittier and Willoughby, where they had initially planned for two vehicular lanes merging into one, they have adjusted those plans to carry two lanes through to the Willoughby intersection, where the left lane would turn into a left-turn-only lane. The right lane would continue to be the through-traffic lane.

There is also a center island median refuge for pedestrians. This enables pedestrians to cross at Willoughby in two stages. They also noted that at rush hour times, that traffic tended to back up on Willoughby waiting to turn right onto Egan. Because of that, they thought that would be a good place to bring in the second lane.

Most changes occur between Willoughby and Main Street, said Mr. Tripp, because that is where they experience the most challenges in terms of space. He said currently two lanes in each direction become one lane in each direction with a center turn lane. The current plan calls for a two way turn lane past the refuge median, becoming a left-turn-only lane as Main Street is approached.

Currently, Egan is accessed by a free right turn from Seward. Under this proposal, a merge with traffic from the direction of Thane would be required.

DOT&PF also performed traffic modeling to assess traffic impacts. They studied the Main and Whittier intersections as a whole. They found that they were able to maintain a level of service of “B” or better for all of those intersections for all of the critical movements, which includes the peak traffic periods of the day. A level of service “B” is reasonably “free flow”, said Mr. Tripp, which is above the level of level of service “C”, which is the overall goal for service for an urban area, which is “stable flow”. Mr. Tripp said that the bridge functions poorly and will continue to do so; there is really nothing they can do at this point to alleviate traffic flow on the bridge. He added there may be delays for people traveling down Seward to get on Egan.

Mr. Tripp said they also want to coordinate the signal at Whittier with the signal at the bridge. He said that should help offset the repercussions of having one lane of traffic between Willoughby and Main.

Another project goal is to stabilize the retaining wall that runs along the Merchant’s Wharf building.

DOT&PF will be sending out a scoping letter within the next month. Next summer or fall they will be asking for local approval of the project. He said this would be a good time in the project for input from the Commission via the Community Development staff. They anticipate advertising for construction the winter of 2015, with construction occurring the summer of 2015.

Ms. Lawfer asked if cyclists proceeding out of town in bike lanes would be in conflict with motorists proceeding in town making a left hand turn.

Mr. Tripp responded that cyclists must follow the rules of the road by going with the flow of the traffic. Therefore, if cyclists are waiting to turn left, they will be seen by the motorists who are looking for other motorists who are also waiting to turn left.

Mr. Lyman added that if a cyclist is in the cycle lane, a turning vehicle would have to yield to them just as it would have to yield to any other vehicle. Mr. Lyman said that currently cyclists are either battling with cars along-side them in traffic, or against local ordinance by riding on the sidewalks. So currently, they are not as visible, and it is much more dangerous, because drivers are not used to seeing them. When the correct facility is provided, people are encouraged to use the correct facility, and it is much more safe, said Mr. Lyman.

Ms. Lawfer asked if DOT&PF had received comments from AML (Alaska Marine Lines) as well as the tourist busses during the last comment period on the project plans. Mr. Lyman replied that there was a representative from Lynden at the last stakeholder meeting.

Mr. Bishop asked if the photograph showing the vegetative buffer in the cycle track was part of the plan. Mr. Tripp answered that it was not.

Ms. Grewe said that she liked the cycle track idea. She wanted to know why DOT&PF had backed off the original idea of the lane changes occurring earlier rather than later in the town area. Mr. Tripp said they backed off the idea because in the former proposal they were forcing people after the Whittier intersection to merge. Then to have a stream of traffic peel-off in order to make their left hand turn at Willoughby. Mr. Tripp said they received a lot of feedback from bus drivers who said that during tourist season this would be problematic. Mr. Tripp said they decided to leave the traffic plan so that a driver could get in the right lane in the Valley, as they can now, and stay in that same lane all the way to Thane.

In answer to Ms. Grewe's follow-up question, Mr. Tripp affirmed that the comments were from commercial bus drivers, not necessarily from general residential motorists.

Ms. Grewe also asked if DOT&PF has had significant input from the CDD planning staff. She said that she considers this a significant change from what they have been presented with before. Mr. Lyman said they have not submitted any comments. They have been working with Mr. Tripp, but primarily attending stakeholder meetings, and listening to what the drivers and representatives of the tour companies and the heavy truck operators are saying.

Mr. Lyman said that regarding inbound traffic, roughly speaking, a fourth of the traffic takes a left at Whittier, a fourth of the traffic takes a left at Willoughby, a fourth takes a left at Main, and the remaining fourth continues through. He said it does make sense to maintain the second lane through the second intersection where half the traffic has diverged.

Mr. Watson said that he liked this version of the project much more than the last version. He said Egan is wider at the Willoughby intersection, and the timing allotted for the light is not enough for people to cross that intersection.

Mr. Tripp said he agrees that the time is not enough, and that they are looking in to addressing that issue. The standards have changed, he said, from something like 4.2 feet per second, and now it has been reduced to about 3.5 feet per second, to accommodate pedestrians better.

Mr. Watson also wanted to comment that he hoped that DOT&PF would work through a plan with the tourism industry so that the industry could be accommodated during the construction season.

Mr. Haight commented that as a regular driver through the affected route that he liked the idea presented by DOT&PF. He said trying to get into the lane between Willoughby and Main has always been a challenge. He said that he could see this plan as an improvement over the current situation.

Mr. Haight asked how this project tied in with the sea walk.

Mr. Lyman replied that the sea walk is another Docks and Harbors project. He said they are very distinct projects serving very differing needs, parallel to each other in the corridor. Mr. Lyman said there is definitely project coordination in terms of crossings, but that they are separate projects.

Mr. Medina asked if DOT&PF anticipated any problems with pedestrians inadvertently using the cycle path, especially during the tourist season.

Mr. Tripp responded that was an issue they would be addressing. He said it needs to be made clear that the sidewalk and the cycle track are different. The more different they can be made to appear to the users, the less problems of this sort will arise.

Mr. Medina asked if the material for the cycle track and the sidewalk would be different.

Mr. Tripp said that had yet to be decided.

Mr. Bishop asked if there would be a barrier between the cycle track and the lane of traffic, to prevent the cyclist from falling into the lane of traffic.

Mr. Tripp answered that under the current configuration that barrier would be the two foot curb and gutter. He added that this is a six and a half foot cycle track, which is a width obtained from the facilities used in Portland, Oregon.

Ms. Grewe said that six and a half feet wide seemed a bit generous. She asked if DOT&PF had considered narrowing the width of the cycle path and adding a strip of vegetation such as flowers.

Mr. Tripp said there is already a two to three foot vegetative strip. He said basically the six and a half foot width enables one bike to pass another, or for two cyclists to ride side by side.

Mr. Satre asked what opportunities the average Juneau citizen would have to comment on the current DOT&PF project plans.

Mr. Tripp said those opportunities exist any time between now and local concurrence. He said they will be revising their web site and issuing scoping letters. He said that agencies can respond to them, and individuals can respond to them. He said they can also respond to the CBJ as the local municipality.

Mr. Lyman said with a project such as this, if the Commission desired, the staff could bring back the draft comments during the scoping phase, and give the Commission the opportunity to comment on them before they are submitted to the DOT&PF.

Mr. Satre said they may want to do that, considering the amount of comments received by the public during the first draft of the project.

IX. REGULAR AGENDA

CSP2013 0030: Planning Commission CIP Project Nomination
Applicant: City & Borough of Juneau, Community Development Department
Location: Borough-wide

Ms. McKibben explained the purpose of this item was to ask the Commission if there were any items that it would like to add to the draft list for the Capital Improvements Program (CIP). Last spring the Commission had recommended that two items be added to the list:

- ✓ Second Crossing – Planning and research to facilitate the development of a second bridge to Douglas Island
- ✓ West Douglas Road Expansion (Pioneer Road to West Douglas)

Ms. Lawfer expressed concern that coming from the Public Works Streets Department that “Safe Routes to School Snow Removal Equipment” was listed as number 14 on a list of 15 items. She said she did not know what the process was to move this item up the list of priorities.

Mr. Satre said he thought that was something the Commission could emphasize on their list of priorities, and that it was good to point those things out. He asked Ms. McKibben if she was familiar with how the prioritization system worked within departments.

Ms. McKibben said she thought the departments prioritized their wish lists, and that she thought the list was prioritized yet again, probably by the Public Works and Facilities Committee, when they put the draft together.

Ms. Grewe proposed a borough-wide economic development plan. She said she knew that came out as a priority at the recent Assembly retreat. She added the Borough does not just need a plan, it needs a strategy. She said the other item she would like to add would be to re-emphasize the ongoing need for sub-area neighborhood planning. She said she would like to see it built in that every year or every other year a specific neighborhood is addressed. She said Auke Bay is being addressed this year, and that she would probably propose the old Native Village downtown as the next area for consideration.

Mr. Bishop said he thought the two items the Commission put forth last spring were less important than the items the Commission is currently working on, such as Pederson Hill and Auke Bay. He said he would like to see some bypass studies completed for the Auke Bay corridor. He said the traffic coming through Auke Bay out of the East Valley is pretty big. The traffic needs to be routed around Auke Bay, rather than through Auke Bay, said Mr. Bishop.

Mr. Bishop added that the Lemon Creek industrial area needed a bypass road as well, for the quarry area.

Mr. Watson said that he agreed with Mr. Bishop, especially on the Anka Street (Lemon Creek area) bypass road. Mr. Watson said he was very uncomfortable with the current proposal to pave the road to the Field House. He also expressed concern over the use of “chip seal” asphalt overlays/replacements. He said that at a public works meeting over six months ago, they said they were no longer going to chip seal any more surfaces in Juneau.

Ms. McKibben said it is important to keep in mind this is a list that was adopted last year.

Mr. Watson said a solution must be reached for the traffic situation on Cordova Street. He said that the City could extend David Street, it could extend Nowell Street, or it could take advantage of the bypass that goes down Pioneer Street and up past the condominium complex under construction, and back down to the highway on the far side of the creek. Mr. Watson said he can't remember the last time the City has done a road project.

Mr. Watson added that a \$20 million library is being constructed on the same site as the high school, and the swimming pool, etc., with a one lane road going in each direction. He said turns are dangerous for the busses and parents taking children to the grade school in the area. He suggested that the vacant lot between the grade school and the high school be opened up with a connecting road to mitigate the traffic situation in the area and make better use of the light at the high school intersection.

On a different topic, Mr. Watson said there is no place in the Borough for developers to dispose of stumps, or some of their other biodegradable building materials. In addition, he added that the bridge that crosses Montana Creek, past the archery range, is very dangerous.

Mr. Satre clarified with Ms. McKibben that their initial comments need to be in to the staff by Friday (the 15th).

Ms. Lawfer asked if the Commission was suggesting items be added to the list or attaching dollar amounts to those items.

Mr. Satre answered that they are adding items to the list.

Ms. Grewe added that she agrees with Mr. Bishop. She said she feels other projects are of more immediate impact than a second channel crossing, which would be tied up in controversy and lack of funds.

Mr. Miller said that the reality of the CIP 2014 list is that it is already drawn up. He said he feels it is important to keep items such as the second crossing on the list because some day it is going

to have to be dealt with. He said that is a long term plan. He said in addition, to pick one item that the Commission really wants to push for to add to 2014. Mr. Miller said maybe the Commission should think in terms of just changing one of the Assembly's priorities.

X. BOARD OF ADJUSTMENT - None

XI. OTHER BUSINESS

AME2013 0012: Selection of Steering Committee Members for the Auke Bay Area Plan.
Applicant: City and Borough of Juneau
Location: Auke Bay Area

BACKGROUND

Mr. Lyman oriented the Commission with the results of the first public survey of the Auke Bay Area Plan. He said this would be the first of several public surveys to be taken of area residents. These surveys are to validate the Community Development Division's (CDD) assumptions, and to make sure they are on the right track to give them an idea of the opportunities and issues in the Auke Bay area.

Development is occurring in Auke Bay, with 120 freshman beds being added with the new freshman dormitory under construction on the UAS campus, with 200 new residential units to be constructed in the Auke Bay area within the next few years. Statter Harbor is undergoing significant reconstruction, along with the reconstruction of Glacier Highway and Mendenhall Loop Road. In addition, there is a rezone request for the Post Office property and the residential property across the street.

There are facilities at or near capacity such as the Auke Bay waste water treatment area, and the existing zoning provides no existing neighborhood cohesion or harmony. Mr. Lyman provided an example of the area with a single zoned property surrounded by four different zones. With every property carrying its own rules, this results in no one playing by the same rules, said Mr. Lyman. The whole purpose of zoning fails in the Auke Bay area, currently, he added.

Mr. Lyman read from the Plan that:

The goal for Auke Bay in the Comprehensive Plan is to connect the area and neighborhood plan throughout the Auke Bay area that addresses residential and nonresidential uses in the vicinity of the cove, harbor and university with the goal of creating a marine mixed use transit and pedestrian oriented village in Auke Bay.

That is what the staff considers their marching orders for this project, explained Mr. Lyman. In other items to be addressed within the Comprehensive Plan for the area, they also need to

protect and provide for water dependent development at the ferry terminal and Auke Bay. They need to identify suitable areas for float homes, boat houses, and/or live-aboards as affordable housing options, provide suitable guidelines and design standards for the proposed Auke Bay Neighborhood Plan and Marine Mixed Use District, and to encourage high density transit oriented residential and/or mixed use developments in the Auke Bay village area, and around the university, particularly for student and faculty affordable housing.

One of the first items to be addressed by the Auke Bay Steering Committee is to address what area will comprise the Auke Bay Village.

SURVEY

There were 223 responses to a ten question survey regarding Auke Bay which had been posted on the internet from October 14 – November 4 or October 4 – November 4. A good portion of the survey respondents found Auke Bay to be a quiet neighborhood. Others who took the survey passed through Auke Bay on their way to somewhere else. Many recognized the importance of Auke Bay as a marine services center.

Many others (about 30 percent) expressed their desire for a community where they could live and work without having to leave the community for their daily needs. Mr. Lyman pointed out those statements point to the mixed use village referred to by the Comprehensive Plan. A large component of individuals noted the importance of Auke Bay as a hub for commercial, sport or guided fishing.

The largest number of people taking the survey stated their desire for a mixed residential and commercial village with a full range of services including marine support. Mr. Lyman said this tells the staff that the direction the Comprehensive Plan is pointing them in is still resonating with the people who are engaged in that part of town.

TRANSPORTATION, TRAFFIC, SAFETY

Just over 20 percent of the respondents felt safe as they walk through the area. A larger percentage, at 28 percent, feel cautious, as they walk through the area. A quarter of the respondents feel unsafe. Mr. Lyman said what they gather from these results is that currently Auke Bay is not the best neighborhood for walking.

The numbers are worse for biking, with only 14 percent of cyclists feeling safe, and 31 percent of cyclists passing through the area feeling unsafe. Over seventy percent of the drivers in the area feel safe or cautious. Only a small percentage of the respondents, at 8 percent, felt unsafe while driving through the area. My Lyman added that judging by the comments, it appeared that a lot of the respondents felt unsafe due to the construction which was underway in the area at the time the survey was taken.

The steering committee will be meeting in early December. At that time the geographic limits of the plan and the boundaries of the village will be determined for the planning process.

About sixty people signed in for the six open houses conducted by CDD in Auke Bay. There were a number of people who did arrive and leave but did not sign in. An estimated total of 80 – 100 people attended the open house presentations.

Mr. Bishop interjected to ask who would be attending the CBJ and DOT&PF public meeting.

Mr. Lyman said it was just a staff meeting, not a public meeting. He answered that Mr. Hart, Mr. Goddard, himself, Ms. Boyce, who is the other project manager on the Auke Bay project, and Sarah Bronstein, who is the new Planner I, who has a degree in transportation planning, would be attending the meeting. From DOT&PF, Gregory Lockwood, the project manager would be attending, Pat Carroll, Marie Heidemann, who is currently a highway planner in Southeast, and Al Clough, who is the regional director and deputy commissioner.

Mr. Bishop asked what the purpose of the meeting was.

Mr. Lyman said it was to outline what exactly is remaining of the project that can yet be defined. There are certain items in the project that have already gone through fundamental review, and that cannot be changed at this stage. Mr. Lyman said one of the reasons the Auke Bay planning project got traction was because of the community's concern about that project. The staff wants to make sure that it understands what it can affect as change out of this project so that it can communicate effectively with the public.

In 2014 there will be more public meetings and design charettes on design and use scenarios. As progress is being made in various stages, there will be meetings with the Assembly, to make sure it is on board with the process along the way. The next step will be to inform the Assembly of the planning process to make sure that it approves of the direction that has been taken so far.

Mr. Lyman said DOT&PF has placed asphalt on the roundabout, on which it has halted construction for the winter. There is a second DOT&PF project, which is the Glacier Highway corridor, running from Fritz Cove Road to the roundabout project and going out to Seaview Avenue.

UNIVERSITY OF ALASKA SOUTHEAST

Nathan Leigh, from UAS, came to inform the Commission of projects underway at UAS. New student housing is currently under construction on campus. The estimated completion is summer of 2014. They hope to have it ready for occupancy for new freshmen arriving in the fall of 2014.

There is a future facilities building planned for construction, and a field house, with two new science classroom buildings planned. There is also a student services and cultural center planned. There is currently no funding for the above items, except for some remodeling of existing space, said Mr. Leigh.

The campus corridor project has been ongoing for the past two years. That has involved blocking off the road that traversed between Glacier Highway and the Back Loop and through the campus, opening up that area for pedestrian traffic, only. A large center area with inlaid brick and a sculpture has been installed, with landscaping yet to be completed.

The outdoor lighting on campus will be replaced with a new lighting system of LED lights. The lights will be installed next year.

If the new dormitory is ready for occupancy as scheduled by the fall of 2014, then the option for family housing which has been dropped by UAS for the past few years, will be offered once again, said Mr. Leighton. There is a blog on the UAS website which maintains an update on the housing construction.

UAS is also interested in a project which would improve pedestrian access from the campus down to the Anderson building, located on the water near the old NOAA (National Oceanic and Atmospheric) facility. They have been waiting for DOT&PF and the CBJ to decide on the direction of the next phase of the highway project which is now scheduled.

Mr. Watson asked what the piping was in the new dormitory construction.

Mr. Leighton confirmed that it was the heating system. It is an underground heating system under the concrete slab.

Mr. Watson asked what the pioneer road was that went up and over the hill directly behind the new dormitory structure, which dropped down to a driveway entrance onto the highway.

Mr. Leighton answered that was a gravity sewer line which went down to Glacier Highway. Currently the sewer lines go towards Auke Lake, where it then needs to be pumped to Glacier Highway.

STATTER HARBOR PROJECT

Mr. Uchytel, CBJ Port Director, updated the Commission on the Statter Harbor project. Since receiving the conditional use permit in June, the engineers have been concentrating on the geotechnical work. The creek, over eons, has been dropping clay silt into the area, creating sixty feet of clay silt to bedrock. The current challenge is constructing the retaining wall in this environment. They are exploring several options.

They are anticipating their first public meeting the first week in February for preliminary design review. They anticipate "getting on the streets in June", with bids opening in July, with onsite construction commencing in August/September.

Mr. Uchytel explained because of the special construction techniques required due to the deep silt deposited by the creek, the project is anticipated to be extended by two to three months. Therefore, they anticipate completion of the project by November, 2015.

The other item they must deal with is the compensatory mitigation. The Army Corps of Engineers permit requires the City to accommodate the 4.1 acre fill with ten acres of equitable tidelands. This must be done through Southeast Land Trust, which has not been able to come up with the equitable land within the vicinity. They have asked Southeast Land Trust to contact the Army Corps of Engineers to see if the area may be widened for the search for equitable tide lands for appropriate mitigation property.

Mr. Watson asked considering the conditions the Planning Condition has added to the project and the present value that Southeast Land Trust has placed on the mitigation, what the approximate additional cost of the project currently amounted to.

Mr. Uchytel responded after the conditional use permit they estimate approximately \$500,000 in additional costs. If they cannot negotiate a lower rate with Southeast Land Trust than \$70,000 an acre, then an additional three quarters of a million dollars would be added. They had anticipated half that cost when they began the project, said Mr. Uchytel. He said the good news is that they think they have enough funds for completion of the project at this point.

AUKE BAY STEERING COMMITTEE

Mr. Lyman suggested to the Commission that they accept all 16 applications that were submitted for the steering committee, and that they reach out to both the Tlingit and Haida Central Council and the Douglas Indian Association for participation on the steering committee as well.

Mr. Lyman said one of the concerns the staff has is that no one has applied for the Auke Bay steering committee who is a representative of the Tribal interests in the community. He said they would like to follow up with Douglas Island Indian Association and also with Tlingit and Haida Central Council, to make sure that the Tribal interests have every opportunity to have a seat at the table.

Mr. Hart said that he has received a call and that this is being discussed by the Indian Association and the Central Council. He said they will be keeping track of the progress of the steering committee at the very least, by reading all of the reports and minutes.

Mr. Miller recommended a minimum number of individuals be set to comprise a quorum.

Mr. Lyman said they hope to leave those issues up to the steering committee, for their initial meeting in early December. The staff will be functioning to support the steering committee, which will be making its recommendations to the Commission, and ultimately, the Assembly.

Mr. Medina asked where they planned to meet with that many people.

Mr. Lyman said that Chancellor Pugh has offered meeting space on the university campus. He said that all of these meetings will be open to the public.

Mr. Watson asked what the expectations were of Mr. Lyman and Ms. Boyce as to when the steering committee would present its final recommendations.

Mr. Lyman said the committee is to present the Auke Bay Plan to the Assembly by September, 2014. Also, DOT&PF wants to go out for bid on the rest of its Glacier Highway project early this spring, so any comments need to be submitted on that project as soon as possible. Mr. Lyman said he anticipates the steering committee updating the Commission in January, following up with the Assembly, then updating every few months thereafter.

Ms. Grewe said she feels it is commendable that the plan is being carried forward by a community-led steering committee, and that she feels plans written by and of the community tend to have a longer life span than those written by consultants. She said she likes the number of members on the committee, because people will own it if they work on it.

Mr. Watson said he would like to encourage someone from the Docks and Harbors Board to attend the steering committee meetings, since they are the principal player in the development of the area.

Ms. Lawfer wanted to know if there was any group they needed to add to the committee.

Mr. Lyman said they have been communicating with the technical advisory side such as Public Works, Engineering, Docks and Harbors and the School District. He said they will continue to meet with these agencies, and the other agencies in the area such as the National Guard and the U.S. Forest Service.

Mr. Hart added that they need to pay attention to the absentee group of individuals who either own land here and no longer live here, but are very aware of what is going on in the community, or those that are very interested in its development.

Ms. Grewe asked about the involvement of youth in the process. She said she was hoping to get teenagers interested in the Auke Bay plan, and a member of the young adult group on the steering committee.

MOTION: *By Mr. Watson, to approve the list of steering committee members submitted by the Community Development Department, and to ask for unanimous consent.*

There being no objection, the motion passed.

As the staff finds additional members from the Tribe or from the student body to add to the steering committee, they are to add them to the committee, and to update the Commission.

Mr. Bishop will be the liaison from the Planning Commission to the steering committee.

XII. DIRECTOR'S REPORT

- Eagle Ordinance Update

Mr. Hart said this is a priority item for the Assembly this year. The staff would like to identify a way to provide a high protection of eagles while streamlining the permit process. They also have the goal of treating private and public entities the same within this process.

The staff is looking at a programmatic approach, said Mr. Hart. They meet every year, and look at the projects for the forthcoming year, so they can foresee where there will be federal permits involved. The project applications will be presented with a checklist of items they have to meet, so that both the planning department and the applicant are clear from the beginning as to what is expected regarding the ordinance.

Mr. Goddard said the regulations treat eagle nests differently if they are on private property vs. public property. This can currently be problematic, said Mr. Goddard, if for example the eagle nest is on private property, but the development is on adjacent public property. That is why they are recommending that the same standards apply to both public and private property, he explained. It does not really matter where the nest resides, but how the project affects the nest. The idea is that the code would be simplified. Once the project and checklist had been approved, the applicant would not be monitored for the entire project, said Mr. Goddard. The CDD would know they had a program in place to consider the items that needed to be considered and they would be relied upon to honor their programmatic commitments without being monitored on each individual project, said Mr. Goddard.

Mr. Satre noted that it has been two years since this issue initially arose. He said it is his instinct to get this code into the Title 49 Committee so this issue can be dealt with as quickly as possible.

Mr. Bishop noted this seemed more of a prescriptive code rather than a programmatic code.

Mr. Goddard responded that what he believes they are attempting to place is the structure to review projects or portions of projects in batches. There would not necessarily be a prescribed standard. It would still be up to the applicants to determine what their behavior is when the code is triggered, but this would encourage them to plan ahead for their projects.

Mr. Miller said it was generally understood that the difference between public and private ownership of property was that private owners had limited resources and options compared to publicly owned land. He said that is why there were different standards for the two types of ownership. Mr. Miller said he would hate to see the broader standard imposed on private owned lands in order to make the code equitable for all.

Mr. Goddard replied that his assumption was that they would be applying the private standards to the publicly owned land, because it simplified how they could apply the code, rather than applying the more restrictive code to all. He said they could obtain the same amount of protection more efficiently and effectively than the more restrictive standard.

Ms. Grewe said that she does not understand the concept they are trying to get across. She said if she is interpreting their proposal correctly, that it seems to require a very high level of trust between the Borough and the applicant, that the applicant will follow through with their program to protect the eagles, without any direct oversight from the Borough.

Mr. Goddard said part of what they would be working on with the Title 49 group is to establish the standards that would be considered adequate. He said for example it may be that anyone who is going to proceed would need to have a Fish and Wildlife permit.

Mr. Hart added there is another component, which is to create a database as construction proceeds so that there is a background of information which can be relied upon.

Mr. Goddard said there is a meeting of the Title 49 Committee scheduled for next Tuesday.

Mr. Watson said that currently the City ordinance is decidedly different from the state standards, almost to the point where one could not proceed. Mr. Watson added that his interpretation of what he heard was the same as Mr. Miller's. He said he does not want to get close to infringing on a private property owner's rights.

- Wireless Communication Ordinance Master Plan Update

Mr. Feldt gave a brief overview of what would be presented to the Title 49 Committee regarding the Wireless Communication Ordinance at its meeting next week. The data service of smart phones has driven the increase in the erection of cell phone towers and new antennae. Mr. Feldt explained that the technology and infrastructure is moving closer to the user, which means towers in residential areas.

A master plan is being developed to address all of these variables. Cityscape is the company that was chosen to perform this study. They developed a plan to show existing towers and locations, and edited the working draft of the ordinance. The Cityscape staff also has attorneys

well educated in land use law who are well aware of legislation coming out regarding the FAA or the FCC.

Mr. Feldt said one of the issues to iron out is how much camouflaging of the towers does the CBJ want to require. Another issue is to decide how close to allow the construction of towers to adjacent residences, property lines, schools, parks and roads.

Since the master plan was created by Cityscape last year, there have been four new cell towers either completely constructed or soon to be completed. Some service areas on the master plan are already becoming out of date. It will be important to regularly update that plan depending on the number of towers that are erected in the area.

A tentative adoption process has been established starting this month with a few Title 49 Committee meetings, where the draft ordinance will be fine-tuned. From there it will be taken to the public. Certain neighborhoods of the Borough are very interested in this ordinance, specifically those affected by the Spuhn Island tower. That tower affects not only Fritz Cove Road residents, but residents on Mendenhall Peninsula, and residents across the water on North Douglas. In February with public comment incorporated, it will go back to the Title 49 Committee for a final draft prior to submittal to the Assembly for final adoption in March.

Mr. Medina asked if Cityscape addressed the concerns that pop up with each tower application.

Mr. Feldt responded that they did.

XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES

- Assembly Liaison Report

Mr. Watson said the Assembly Liaison emailed him some notes from the last meeting, which he attended as well. The Comprehensive Plan was approved by the Assembly. The Bartlett Regional Hospital appointed a new temporary CEO. Flood plain insurance was discussed with public testimony from citizens with flood plain insurance over \$10,000 a year.

Mr. Hart commented that they are receiving a lot of comments from individuals regarding flood plain insurance. He said their economic models have changed and are reflected in the flood insurance.

XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS

Mr. Watson informed the Commission that they each have a book of the hearing documents with the process inside that they will be following for the Twelker appeal. That hearing is scheduled for Tuesday, December 3, at 5:00 p.m. in the Assembly Chambers. The Commission

is then scheduled to meet at 6:00 p.m. in executive session in Room 224 to make a decision. The Commission deliberations in Room 224 will not be recorded and no minutes will be taken. The appellant and the appellee will not be present during deliberations. The Chair will be responsible for conducting the meeting and adhering to the rules of the appeal.

XV. ADJOURNMENT

The meeting adjourned at 9:58 p.m.