

**PLANNING COMMISSION**  
City and Borough of Juneau  
**Michael Satre, Chairman**

REGULAR MEETING  
April 8, 2014

**I. ROLL CALL**

Dennis Watson, Vice 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 7:01 pm.

**Commissioners present:** Dennis Watson, Vice Chairman; Karen Lawfer, Ben Haight, Bill Peters, Paul Voelckers, Dan Miller, Gordon Jackson

**Commissioners absent:** Mike Satre, Chairman; Nicole Grewe

**A quorum was present**

**Staff present:** Hal Hart, Planning Director; Travis Goddard, Planning Manager; Laura Boyce, Senior Planner; Beth McKibben, Senior Planner; Chrissy McNally, Planner I, Jonathan Lange, Planner I, Rorie Watt, Engineering Director; Greg Chaney, Lands and Resources Manager

**II. APPROVAL OF MINUTES**

- March 11, 2014 – Committee of the Whole Meeting
- March 11, 2014 – Regular Planning Commission Meeting

**MOTION:** *by Mr. Miller, to approve the minutes of the Committee of the Whole Meeting of March 11, 2014, and the Regular Planning Commission Meeting of March 11, 2014, with any minor modifications by Commission members or by staff.*

The motion was approved by unanimous consent.

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

**IV. PLANNING COMMISSION LIAISON REPORT**

On behalf of the Assembly, Mr. Nankervis thanked the Commission and the planning staff for all of their hard work on the Draft Wireless Communications Facilities Master Plan and Ordinance. He said he recognized the Assembly had given them a very short timeline to complete the task.

Ordinance 2014 0016, which is an ordinance amending the Land Use Code for leasing land, was before the Assembly on the Consent Agenda, said Mr. Nankervis. The Assembly is attempting to clean up some ambiguity in the ordinance, he explained. Resolution 2685 approving the 2014 CBJ Transit Development Plan was approved on the Consent Agenda, said Mr. Nankervis.

During the public hearing, Ordinance 2014 0021, amending the zoning maps to approve the AWARE project at Twin Lakes, was approved. Under *New Business*, there was a request for the Juneau City Manager to enter into negotiations with Juneau Legacy Properties for CBJ property located at 2<sup>nd</sup> and Franklin Street. That item is to be open for 30 days, said Mr. Nankervis, for anyone interested in the project. Last night the Assembly heard that a housing development had been proposed for that land.

The Landscape Alaska Conditional Use Permit Appeal is still before the Assembly, said Mr. Nankervis. Mr. Loren Jones is the presiding officer for that Appeal. Mr. Jones mentioned that the Appeal will be before the Assembly August 18, 2014, said Mr. Nankervis. The CBJ Finance Committee will be meeting every week until a balanced budget is developed, hopefully by the middle of June, said Mr. Nankervis.

Under questioning from Mr. Watson, Mr. Nankervis said the Auke Lake Ordinance was amended to remove the restriction on vessels measuring 16 feet, and to prohibit flushing salt water boats out in the lake. Mr. Nankervis said he expects further changes will be made to the ordinance following another summer of observation from Parks and Recreation.

Mr. Watson asked that a motion be made to adjust the regular agenda, moving SMP 0002 to the second item on the regular agenda.

The motion was made and unanimously approved by the Commission.

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

**VI. CONSENT AGENDA**

CSP2014 0003:	Drainage easement and temporary use permit on City property for site drainage and foundation improvements for historic St. Nicholas Russian Orthodox church.
Applicant:	City and Borough of Juneau
Location:	326 Fifth Street

Staff recommends that the Planning Commission recommend to the Assembly authorization of a drainage easement for site drainage improvements for historic St. Nicholas Russian Orthodox Church with the following advisory recommendation from the Engineering Department:

Advisory recommendation: A catch basin and area drain are to be installed on CBJ property and connected to the City's storm drain to capture surface runoff from the parking area and hillside. If the parking lot is paved, an oil water separator shall be installed in the catch basin. Runoff shall not be allowed to sheet across the sidewalk.

Staff also recommends that the Planning Commission recommend to the City Manager the issuance of a temporary land use permit for construction access on City property to improve the Church's foundation.

CSP2014 0004: Fritz Cove Road widening of shoulders, embankment reinforcement, asphalt paving, drainage improvements, and culvert replacement  
Applicant: State of Alaska DOT/PF  
Location: Fritz Cove Road

Staff recommends that the Planning Commission adopt the findings in this staff report and recommend to the Assembly that as conditioned, CSP2014 0004 is consistent with adopted local plans and policies, as required by CBJ49.15.540 and AS 35.30.010.

Staff further recommends that two advisory conditions be placed on the finding of consistency in order to provide all possible notice to the applicant and the project contractor that a construction noise permit will be required for heavy equipment work during night-time hours as provided at CBJ 42.20.095(b) and that notice of any street closure must be provided to both JPD and CCF/R.

Advisory Conditions:

1. CBJ 42.20.095(b) Construction of buildings and projects. It is unlawful to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist, or similar heavy construction equipment, before 7:00 a.m. or after 10:00 p.m., Monday through Friday, or before 9:00 a.m. or after 10:00 p.m., Saturday and Sunday, unless a permit shall first be obtained from the City and Borough Building Official. Such permit shall be issued by the Building Official only upon a determination that such operation during hours not otherwise permitted under this section is necessary and will not result in unreasonable disturbance to surrounding residents.
2. At least three business days prior to any traffic revision or road closure of any public street or portion thereof, the contractor shall provide written notification of the traffic revision plan to the CBJ Fire Marshall and Chief of Police. Failure to provide such notice may result in suspension of any CBJ-issued permits for such work, and is punishable by fine as an unlawful street closure under CBJ 72.17.010.

**MOTION:** *by Mr. Miller, to approve the Consent Agenda as read, with staff's findings, recommendations and analysis.*

The motion was approved by unanimous consent.

**VII. UNFINISHED BUSINESS**

VAR2014 0002: Variance request to replace and extend existing deck to property line.  
Applicant: John Lamb  
Location: 312 Sixth Street Unit A

Staff recommends that the Board of Adjustment adopt the Director’s analysis and findings and DENY the requested Variance to allow the replacement and extension of an existing deck to the property line.

Ms. McNally told the Commission the property in question is located in the D 18 Zoning District. The property is 1,506 square feet. In a D 18 Zoning District, 5,000 square feet is the minimum size, said Ms. McNally. The lot is considered legally nonconforming, she said.

Displaying an as-built of the site, Ms. McNally said that each side of the property has a four foot wide easement, taken up on the western side of the property with a stairway. The east side of the property remains relatively undeveloped, she said.

The deck on the property in 1984 was constructed without a variance, said Ms. McNally, and the current owner tore it out in September of 2013, and extended the new deck out to the property line, also without a building permit, said Ms. McNally. The property owner did receive a building permit for windows he was installing, and applied for the variance currently before the Commission, said Ms. McNally.

Showing the photos on the wall, Ms. McNally noted that as the lot slopes, on the southern portion of the deck, there is only three feet from the top of the neighbor’s fence to where someone would be standing on the deck.

Criteria One and Two were not met for the variance application, said Ms. McNally. The primary reasons were that the property variance was not consistent with justice to the neighboring property owners given the height of the deck in relation to the fence, and it did not observe the intent of Title 49 for the same reasons.

**APPLICANT**

Applicant John Lamb said he had met with his neighbor since the last meeting, but that no definite solutions to the issue had been resolved. Mr. Lamb said he wanted to emphasize that there was no street access to his property, that they had a developed easement on one side of the property, and that they essentially wanted to replicate that development on the other side of the property.

Mr. Lamb said he had support of many of his surrounding neighbors, who felt this development would greatly improve the safety and access to their properties. He said it was very “tight quarters” in the area, and that everyone was aware of that when they purchased their homes. Mr. Lamb said if the variance was approved, that he would be willing to work with his neighbor and his concerns about his privacy.

Mr. Voelckers asked how the development made the access to the neighbor's properties more safe.

Mr. Lamb answered that his project would provide alternate access to the neighbors up the hill from him, who also do not have street access, should the existing access be disabled.

#### PUBLIC COMMENT

Neighbor Steven Pfister said a 40 yard fence had been built five feet on his side of the property line. The fence was falling apart, and he tore the fence down. At the request of two neighbors, he held up construction on a new fence until the land had been surveyed and property markers placed in the correct locations. He said the fence cost about \$5,000 to construct. He had asked Mr. Lamb if they would like to assist with paying for the fence, but that he received no financial assistance or help with the construction.

He constructed the fence at the upper portion of the property line. Neighbors began hanging camping gear and other items on the fence posts, and the area between the two neighbor homes was graded, which changed the direction of the water flow towards his property, said Mr. Pfister. This began eroding his landscaping wall. He could not block the water, he said, and the water also began eroding the dirt around some of the fence posts. More work was done on neighbor's property, other than Mr. Lamb's property, which further worsened the water drainage problem, said Mr. Pfister.

The Lambs have built a large deck over the property line adjoining his property, said Mr. Pfister. The construction was all done without a building permit, said Mr. Pfister, and without discussion of the project with him. Mr. Lamb constructed drains under the deck, redirecting the surface water to his property, said Mr. Pfister.

In addition to the drainage problems, said Mr. Pfister, the Lamb deck was constructed so that it reaches half way up his six foot fence, so now people on the deck can look into his yard and bedroom windows. Mr. Pfister had other complaints focused on his worry the deck would become a party area with large numbers of people converging. He said there were a lot of other issues involved not just connected with privacy. He said it was setting a precedent for other neighbors to build up to the property line, if the deck was allowed to remain in its current location.

#### QUESTIONS

Mr. Miller said he understood that drainage was a tough issue for that neighborhood. He asked Mr. Pfister if he felt that privacy screening would improve the project for him.

Mr. Pfister said his biggest concern was that the deck would become a party area, with people on it until late at night. He said he did not think additional screening would help resolve that situation.

Mr. Peters asked how much additional space was being added on from the side of the deck to the fence. He said what he really wanted to know was how the noise factor would really be any greater with the additional deck construction.

Mr. Pfister answered that a larger deck supported a lot more people.

Mr. Peters asked if the line of the deck was allowing access from the neighboring homes.

Ms. McNally said that the middle homes would have access to the deck. She added that the standard setback is five feet, and that the current deck is replacing a deck which was illegally constructed because it was constructed too close to the property line.

Mr. Voelckers asked which neighbors contributed the most to the water drainage problems.

Mr. Pfister said it was both the upper neighbor and Mr. Lamb.

Mr. Voelckers asked if they had conversations about how to resolve the issue.

Mr. Pfister said he spoke to Mr. Lamb about the problem, and that he had nothing to say about the problem.

Mr. Watson asked if there were windows looking into his property from the neighboring blue house.

Mr. Pfister said he thought there was one window.

#### APPLICANT

Mr. Lamb said he would not argue that there was a lot of water coming down the slope. He pointed out that his neighbor's property is the lowest property in the area. He said the drainage work he did while constructing his deck was to alleviate water problems in his basement. Mr. Lamb said on March 8, 2014, there was a "river" flowing onto his neighbor's property, but due to frozen ground and a lot of rain, that many places in the community flooded that day.

He said he was a married father of two, and that he would be about the rowdiest person who would be on his deck.

#### QUESTIONS

Mr. Miller asked the applicant if he had considered extending the deck with a boardwalk so that it did provide continuous access for the neighbors, to justify the construction of the deck. He mentioned to the Applicant that a privacy screen where the deck was close to the top of the neighbor's fence would contribute to neighborhood harmony, and be a gesture of good will to his neighbor. He asked what Mr. Lamb thought of that idea.

Mr. Lamb responded that he would be willing to provide the additional access in the form of a boardwalk and perhaps on the other portion, with timbers that could provide an earthen stair. He said he could also cut back the deck, which he thought had been recommended by Mr. Haight. He said the stair platform could be substantially lowered, and with the walkway, would be lower compared to the neighbor's fence.

Mr. Watson asked how many feet from the fence the deck needed to be constructed according to Title 49.

Ms. McNally answered that it is the five foot setback requirement, since the lowest part of the deck was over 30 inches. If it were lower than 30 inches, there is a provision allowing the stairs to be within three feet of the property line, she explained.

Under questioning from Mr. Voelckers, Mr. Lamb confirmed he would be willing to make changes in the deck to lower it perhaps a foot from its current height where it comes close to the height of the neighbor's fence, so the last three feet or so of the deck would be lower.

Mr. Voelckers asked Mr. Lamb if the neighbor would be receptive to this type of strategy.

Mr. Lamb said it sounded from his discussion with his neighbor that it would give the neighbor some relief.

Mr. Voelckers clarified that with this proposal that the deck would be cut back so stairs would be leading down before the height of the deck came close to the top of the neighbor's fence.

Mr. Miller asked if the setback requirements would still have to be met if an access easement was constructed.

Ms. McNally said the setback requirements still would have to be met, because this was a general easement that was recorded on the property titles. She said it does not carry specific standards.

Mr. Miller verified that the staircase on the other side of the house is legally nonconforming.

Mr. Miller asked how drainage issues were enforced, and if the Planning staff had reviewed the drainage situation.

Ms. McNally said she had not reviewed the drainage situation, that she had been focused on the privacy issue between the neighbors. She said that she did not have the answer regarding drainage requirements. She said that the CBJ Engineering Department could be consulted on that topic.

Mr. Peters asked if a variance would have been required for Mr. Pfister's fence, since it was built up to the property line.

Ms. McNally said a variance would not be required, because a fence up to six feet in height can be built up to the property line.

Mr. Miller said there are many times in this type of neighborhood where justice to other property owners is defined by what is around them. In this area, there are many nonconforming buildings, he said. Mr. Miller said that the first condition, requiring justice to the other property owners, was almost met, in his opinion.

The second condition was providing relief in such a fashion that the intent of the Title will be observed and that public safety and welfare be preserved. Mr. Miller said he found this condition much easier to meet. Mr. Miller said he felt having a second set of access stairs in the area does preserve the public safety, and enhances the public safety. If this were to be approved they would need to make a condition that the access went from lot to lot.

Mr. Miller said the setback requirements were not listed as a reason for declining the variance request.

**MOTION:** *by Mr. Miller, that VAR2014 0002 be approved with staff's findings and analysis changed for Criteria One and Two. On Criteria Number One, the three foot setback criteria would be addressed by lowering that portion of the boardwalk and that the owner will be required to go property line to property line with some form of walkway for safety purposes, enhancing the privacy issue of the neighbor to the east. On Criteria Number Two, safety and welfare would be enhanced by the extension of the boardwalk from property line to property line.*

Mr. Voelckers asked Mr. Miller to define what he meant by the word "drop".

Mr. Miller pointed to a map and explained where he believed the drop in deck height would take place.

The motion passed by unanimous consent.

Mr. Watson, speaking to the motion, said that he hoped that when the meeting concluded that the Applicant met his obligations, and for everyone to recognize these are tight quarters, and that it is wise to speak with the neighbors before taking action, not afterward.

### **XIII. REGULAR AGENDA**

SMP2014 0002:	A Major Subdivision creating 1 regular lot and 2 Bungalow lots on Garnet St. in the Northeast Mendenhall Valley.
Applicant:	Shawn Kantola
Location:	8287 Garnet Street

Staff recommends that the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested Preliminary Plat. Approval would allow the applicant to apply for the Final Plat Application. Staff further recommends that the approval be subject to the following conditions:

1. Prior to recording of the Final Plat the applicant will be required to remove the mobile home from the parcel.
2. Prior to building on the proposed lots the applicant will be required to obtain a Grading and Drainage permit through the CDD and General Engineering departments.
3. Prior to Final Plat recording, the applicant will be required to install improvements for public water and sewer to all proposed lots, or shall bond for improvements.
4. Prior to Final Plat Approval, the applicant shall submit a joint use and maintenance agreement for the access and utility easement to be recorded with the plat.

Mr. Lange told the Commission that this is a major subdivision request creating one regular lot and two bungalow lots on Garnet Street in the northeast Mendenhall Valley. The neighborhood is zoned D5. An access easement going to the rear lot is proposed by the Applicant. Usually a subdivision creating four lots or less would be deemed a minor subdivision, said Mr. Lange. However, there is a provision for bungalow lot subdivisions when creating one regular lot and two bungalow lots, where a major subdivision is necessary, said Mr. Lange.

In the D5 zoning district the minimum lot size is 7,000 square feet, duplex lots are required to

be on lots at least 10,500 square feet, with the minimum lot size for bungalow lots set at 3,500 square feet, said Mr. Lange. He said the proposed bungalow lots are each 3,790 square feet, with the rear lot totaling 12,920 square feet. The Applicant is proposing to use the large, rear lot for a duplex, and the smaller lots for bungalows, said Mr. Lange. A bungalow can be a maximum of 1,000 square feet, with the garage maximum set at 300 square feet.

The trailer currently residing on the site would be removed prior to the subdivision, as it crosses two lots, said Mr. Lange.

#### QUESTIONS

Mr. Miller asked if a single family home with an accessory apartment could be placed on the 7,000 square foot lot.

Mr. Lange said that if what was proposed was a approx. 7,000 square foot lot and a approx. 10,500 square foot lot, the 7,000 square foot lot could have a single-family home with an accessory apartment. Mr. Lange said that would constitute a minor subdivision, not requiring review from the Planning Commission.

Mr. Miller asked if a bungalow could have an accessory apartment.

Mr. Lange responded that it could not have an accessory apartment. The bungalow lots could also not have a mobile home, said Mr. Lange.

Mr. Miller asked if the mobile home was required to be removed prior to the final plat. He asked if an individual could purchase the lot, and live in the mobile home while constructing a home.

Mr. Lange said the mobile home would have to be removed prior to construction of another dwelling. Also, the mobile home would have to be removed prior to subdivision, since it would cross one of the proposed lot lines.

Mr. Lange answered Ms. Lawfer's question, verifying that bungalows are required to have off-street parking.

#### APPLICANT

Applicant Shawn Kantola told the Commission that he purchased the lot several months ago. He said he spent a great deal of time trying to ascertain what kind of development would look the best in the neighborhood. While they could have three separate drives, he said, he had decided to use one access road to minimize the impact of the subdivision on the neighborhood.

#### PUBLIC COMMENT

Neighbor Jim Nelson said that his concern with the development is that it would be the only subdivision of its kind in the area. He was concerned about placing four dwellings on land which is currently zoned for two dwellings. Mr. Nelson also expressed concern that if the lot was cleared, that drainage to the road would be increased. Mr. Nelson said there is already an existing drainage problem on the road.

Mr. Nelson asked to read comments from a neighbor Kathy Carson in opposition to the subdivision. She believes that the development is too dense for the area.

Neighbor Jim Cawdry said that he had been under the impression that the development was two bungalows and a house. He said when he found out the subdivision was proposed to be two bungalows and a duplex, that he is against the proposed subdivision, primarily because of the density. Mr. Cawdry said he is pro-development, but that it would affect the quality of life in the neighborhood. He said the Applicant did mention if privacy was an issue that he would put up a fence between the properties for privacy.

Mr. Voelckers asked where the fence would be located.

Mr. Cawdry said the fence would go along part of the property line on the east side, where his property is located.

Neighbor Elwin Blackwell said that he is pro-development, and recognizes the need for housing in the community at the more affordable end. Mr. Blackwell said he was against this development because it would set the precedent for further subdivisions in the neighborhood, turning it into a high density area.

Area resident Kathy Carson told the Commission that she was strongly against four dwellings being packed onto one lot. She said she liked the neighborhood as it was where there was space for everyone.

Neighboring resident Curtis Blackwell said that he was pro-development, but against the density of the proposed subdivision. He said he felt it was a shame to take large lots and change them to minimal, high density living.

#### APPLICANT

Mr. Kantola told the Commission that the proposed subdivision is for lots above the minimum required lot space. He said he has not requested a rezoning of the area, as some people had stated. He said everything in his application conformed to D5 zoning. He said one of the reasons he was pursuing this development was to help relieve the housing crisis in Juneau.

Ms. Lawfer asked the applicant if he had considered putting two duplexes on his property.

Mr. Kantola said he had considered this possibility, but that because of his lot width he could not place two duplexes on the land. He said he could subdivide to build a duplex lot with an accessory unit, [sic] and a single family lot, thus constructing a total of five dwelling units on the land.

Mr. Watson asked the Applicant how he felt about building a fence along a portion the common property line, thus providing some privacy for the neighbor.

Mr. Kantola said although this was not something that could be required by the code, that he had spoken with the neighbor and told him that he would be amenable to constructing a fence along a portion of the lot line.

Mr. Miller asked if it was possible to construct a duplex with an accessory apartment.

Mr. Lange said a duplex cannot have an accessory apartment.

Mr. Voelckers asked how long the bungalow ordinance had been in place.

Mr. Watson said the ordinance had been in place for about five years.

Mr. Watson asked what specific materials and design were required for bungalow housing.

Mr. Lange said that no specific materials were required for bungalow housing. He repeated that the maximum size for a bungalow home was 1,000 square feet, with an additional garage up to 300 square feet being allowed. A ten foot by ten foot deck could be constructed on the second story without detracting from the total square footage of the home.

Mr. Watson asked staff to speak about the drainage of the subdivision.

Mr. Lange said that the applicant would be required to apply for a grading and drainage permit.

**MOTION:** *By Mr. Miller, to approve SMP2014 0002 with staff's findings, analyses and conditions.*

Mr. Miller spoke in favor of the motion, stating that there is no hidden land available in Juneau. He said the available land in Juneau is minimal, and that this type of zoning is something that needed to be done. He said out of his five children, only one child could afford to live in Juneau, and that child is living in a bungalow. Mr. Miller said he felt this was a great ordinance.

Mr. Voelckers said that he was in support of the subdivision. He gave credit to the Applicant for developing a single driveway when he could have constructed three driveways.

Speaking in favor of the motion, Mr. Watson said that it is extremely important that the Applicant be a good and responsive neighbor.

The motion passed with a unanimous vote in favor of the motion.

CSP2014 0008	Planning Commission review of Fiscal Year 2015 Capital Improvement Program
Applicant:	City and Borough of Juneau
Location:	Borough-wide

Ms. McKibben said according to Title 49, the Planning Commission is to review the Capital Improvement Program (CIP) annually and submit recommendations to the Assembly. The Comprehensive Plan states that the staff is to review the CIP for consistency with the Comprehensive Plan.

The purpose of the Plan is to guide the investment of public funds for maintenance, repair, construction and acquisition of infrastructure, facilities and equipment. The Planning Commission saw this list back in November, 2013, said Ms. McKibben.

The Planning Commission listed:

- ✓ Moving sidewalk and stair repairs from number 30 to number five on the list
- ✓ Moving safe routes to school snow removal equipment from number 14 to number four
- ✓ Sidewalk and snow/ice removal not just for SRT's but for all pedestrian ways

- ✓ Feasibility study for West Douglas Road Extension
- ✓ Continued funding for sub-area/neighborhood plans
- ✓ By-pass road behind Stabler's Point Quarry
- ✓ Auke Bay by-pass study
- ✓ Modify Riverbend access to use the signal intersection to Dimond Park
- ✓ Replace Montana Creek Bridge
- ✓ Create/operate a stump dump
- ✓ Borough-wide economic development plan

The Borough-wide Economic Development Plan is funded and underway, noted Ms. McKibben.

She said the CIP is organized into various capital improvement projects. She said the Assembly and City Manager organize the projects according to:

- ✓ Health and Safety
- ✓ Maintenance Impact
- ✓ Economic Development
- ✓ Community Improvements

Ms. McKibben said she wanted to point out that this list is significantly shorter than lists of prior years. In light of budget shortfalls, the list may get smaller, said Ms. McKibben.

#### QUESTIONS

Mr. Voelckers said he did not understand the Unscheduled Funding category.

Ms. McKibben read the description in the report of uncheduled funding:

*Unscheduled requests are either appropriations from enterprise utilities (water, sewer, Bartlett Hospital, Airport, etc.) that do not happen as part of the CIP but are planned to be appropriated as part of the fiscal year (such as grants and loans)...*

Mr. Voelckers said he is a huge advocate of a joint parking facility in the Willoughby District, and he was pleased to see it on the list.

Mr. Peters asked how the temporary sales tax relates to the CIP in funding. He said he was noting the funds allocated for the Mendenhall Valley Public Library, and wondered if that funding could be delayed due to budget shortfalls.

Mr. Watt said the temporary sales tax was approved by voters in October of 2012. The sales tax gets appropriated annually, said Mr. Watt. He said the library project is scheduled for funding in the forthcoming fiscal year, but the Assembly had made funding available so that it could go out to bid. The next time the Assembly views the project will be to award the bid, as any amount over \$1 million must be approved by the Assembly, said Mr. Watt.

Mr. Peters asked if the Assembly could defer awarding the bid.

Mr. Watt said that while the Assembly could defer the bid award, but if it was

not awarded in a timely manner, the low bidder may not hold its bid open.

Mr. Peters asked if items on the Unscheduled List such as Juneau School District curriculum could be deferred in funding.

Mr. Watt answered that if those items come through the state budgeting process they would come through as grants, at which point the School District could use those funds as stipulated by the grant.

Mr. Watson asked if the state did not fund any of the Unscheduled Funding projects, if they would then be moved up on the CIP list for funding by another route.

They could, said Mr. Watt, but not in this fiscal year.

Ms. Lawfer noted that the North Douglas Channel Crossing is placed on the list for future funding at \$90 million. She asked if there were funds listed anywhere for the planning of other, viable, crossings.

Mr. Watt said there were no such funds identified at this time.

Ms. Lawfer said that land could not be opened up on North Douglas without a North Douglas Crossing. She said she would like to see some preliminary planning in place in the event the North Douglas Crossing became more of a reality funding-wise.

Mr. Watt said the community, Assembly and Commission had a difficult time deciding just where the crossing should go. He said he felt it would be very hard to make that decision without an imminent project. If the Borough were fortunate enough to have funds for the project, that it would be a very huge impact, since houses would need to be purchased, as well as parcels of land bought. The project seems 20 to 30 years in the future, said Mr. Watt.

Ms. Lawfer said also she had not noticed Pedersen Hill listed anywhere on the CIP, which the Commission had listed as a priority.

Mr. Watt said Pedersen Hill and Switzer were not on the list because there is already significant funding in place. About \$5 million is set aside to develop access to those properties, he added.

Mr. Watson asked if the money identified for the Airport was just city funds or did it include other funds.

Mr. Watt said that amount included all funds.

Under questioning from Mr. Watson, Mr. Watt said that a dearth of local funds would not affect that project.

Mr. Watson asked why Parks and Recreation has over \$1 million to buy land. He said he did not think it needed more land. He said he wondered why this amount was under the Parks and Recreation budget and not under the Lands and Resources budget.

Mr. Watt said he thought that the Parks and Recreation Department had identified land acquisitions that the community had brought forward. None of those funds are funded in this fiscal year, he said.

Mr. Miller asked if there was any lead mining considered for the Hank Harmon Rifle Range in future allocations.

Mr. Watt said he did not know the answer to that question.

Mr. Voelckers said he saw no funds listed for sea walks.

Mr. Watt said there are no funds listed for sea walks for this fiscal year. There will likely be more funds listed for future fiscal years, he said. He said there is the current sea walk project near the South Franklin dock which will be completed soon. The cruise ship dock contract has been awarded by Docks and Harbors, said Mr. Watt. The Assembly has authorization to sell \$15 million in bonds for a sea walk project. There is a revenue stream as land deals are negotiated with property owners, said Mr. Watt.

Mr. Miller said he wanted to support Ms. Lawfer's statements about the second crossing.

Mr. Voelckers asked why Douglas was not identified in said the sub area neighborhood plans.

Mr. Hart said that Douglas is listed as one of the areas targeted for a sub area neighborhood plan. Mr. Hart said the Auke Bay Steering Committee will be submitting recommendations by the end of the summer for the CIP.

**MOTION:** *by Mr. Miller, to find that CSP2014 0008 for Fiscal Year 2015 – 2020 Capital Improvement Program is consistent with the CBJ Capital Improvement Plan and the Comprehensive Plan per staff's findings and analyses.*

The motion passed by unanimous consent.

Mr. Watson asked for any Commission comments on CIP prioritization.

Mr. Voelckers said it sounds like this is the end of the current cycle. He said he will be excited to start the next season in September.

Mr. Miller said he was attending an Assembly meeting in Unalaska some years ago, and that they were concerned about not feeling they had to spend all of the funds available. He said he thought that was good advice.

Ms. McKibben asked if the Commission wanted its discussion on the North Douglas Crossing as part of its recommendation to the Assembly.

Ms. Lawfer said she would like that “continued planning” for the North Douglas Crossing to be part of the Commission’s recommendations to the Assembly.

Mr. Hart clarified that there is an existing Douglas Island neighborhood group, which reports to the Assembly.

**IX. CONSIDERATION OF ORDINANCES AND RESOLUTIONS - None**

**X. BOARD OF ADJUSTMENT - None**

**XI. OTHER BUSINESS - None**

**XII. DIRECTOR’S REPORT - None**

Mr. Hart said the first quarter is complete, and that there are new statistics available. He said the Borough is ahead this year from last year in terms of total value for permitting. He added that this is largely due to the Douglas Island remodel for state offices.

They do expect to see more commercial growth for the community during the subsequent quarters, said Mr. Hart. There are a number of restaurants in town that may be relocating or moving their locations. There is one group looking at apartments, and another group potentially looking at a hotel, said Mr. Hart.

Mr. Watson asked about the status of the Auke Bay Steering Committee.

Mr. Goddard said their next meeting is scheduled for April 16, 2014. They may discuss Juneau wireless communication facilities, but that the primary focus will be on discussing potential CIP items that are related to transportation in the Auke Bay area. Mr. Goddard said hopefully some of these recommendations will be additions to the Master Plan, so they would be available next fall when the Commission began its CIP cycle again.

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

**LANDS COMMITTEE**

Ms. Lawfer said the Lands Committee met on March 24, 2014, and that one of the issues was the Orthodox Church easement, which was dealt with by the Commission this evening on the Consent Agenda. They also discussed the ordinance involving Auke Lake, which was passed by the Assembly at its last regular meeting, said Ms. Lawfer. The committee reviewed an ordinance amending the Land Use Code regarding land available for leasing, said Ms. Lawfer. She said that Mr. Chaney also discussed a possible land donation of some unbuildable land along the Mendenhall River off of Killewich Drive. The Lands Department will look into the condition of the land, said Ms. Lawfer. The Lena Land Sale is open, and bids are due by May 9, 2014, said Ms. Lawfer. The Parks and Recreation Department is contemplating updating its 2008 Comprehensive Plan, she added.

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

Mr. Watson asked Mr. Goddard what the Commission can be expecting in further information about the Wireless Communications Facilities. He said the Commission cannot receive a mass of documents to study with just a short period of time to review them before the meeting.

Mr. Goddard said they do not plan on submitting new documents or reports for review within the next week. He said he had hoped to present the main issues to the Commission, with the expectation the Commission could comment on those options at the next meeting.

Mr. Watson asked what condition the Draft Ordinance would be in by the next Commission meeting on April 15.

Mr. Goddard said he hoped that the Commission members could take the current draft of the Ordinance and give specific direction on each item where pertinent.

Mr. Voelckers said that he has not seen clear progression in the past month on the Draft Ordinance. He said he felt that perhaps good faith edits could be made on the documents by the staff. He said the Commission has been giving clear feedback for the past couple of weeks, and he felt it time that a draft be formulated incorporating those comments, with highlights made on areas still needing focus.

Mr. Miller said he had thought they would be going over the Ordinance line by line at this meeting. He said that he felt they would need to be scheduling another meeting in order to pull this off.

Mr. Goddard said if he were to attempt to update the Ordinance at this juncture and submit it to the Commission next week before its meeting, then the discussion would center on what he put in the Ordinance, rather than on the Commission's input. He said he could do it either way, and he could attempt another version of the draft prior to the meeting next week.

Mr. Miller said perhaps the Commission should go over the Ordinance next week, and give the staff a few weeks to incorporate all of the Commission comments.

Mr. Haight concurred with Mr. Miller. He said the Commission also needed time to review the material.

Mr. Jackson said his expectation was a draft after every work session. He admitted it is a complex issue, not easily addressed.

Mr. Watson asked how much public notice needed to be provided for a Committee of the Whole meeting.

Mr. Goddard said he thought the time was ten days, or the next regular meeting could be continued to a "time certain".

Mr. Watson said he did not think they needed to wait two additional weeks following the next meeting. He asked what the Commission would have to work with following its meeting April 15, 2014.

Mr. Goddard said there was another option; that the staff could add an extra column to its spreadsheet adding specific language that it suggested be used for the review of the Commission.

Mr. Voelckers said why not go one step further and propose a Draft incorporating the comments.

Mr. Miller said currently not all of the Commission comments on the draft have even been made. All they did at this meeting was to review what the staff thought the public had addressed as priorities for the Ordinance, said Mr. Miller. He said the Commission members have not even had the chance to discuss the important items that they wanted addressed. He said he felt the Commission needed to review the Ordinance page by page.

Ms. Lawfer asked which version of the ordinance the Commission would be working from.

Mr. Goddard said they would like the Commission to be working off of the original draft Ordinance.

Mr. Watson said the Commission would come prepared to review the Ordinance at the Committee of the Whole meeting on April 15, 2014, followed by a public meeting at 7:00 p.m.

Mr. Peters said although a COW was not scheduled, that he felt the Commission should meet April 22, 2014, to discuss what the staff had annotated following the information it gathered from the Commission and the public on April 15, 2014.

Mr. Miller said rather than having a COW on April 22, to instead have a special meeting on the night of April 29, 2014, giving the staff two weeks to polish the draft.

Mr. Watson asked Mr. Goddard if he would need two weeks following the April 15, 2014 meeting, to edit the ordinance incorporating the comments of the public and the Commission.

Mr. Goddard said he planned on having a completed second version of the ordinance sent to Commission members the afternoon of April 18, 2014. He said the Commission would have time to review the ordinance in readiness for the April 22, 2014 meeting, and could approve it or not approve it. He added that there may not be time for the CBJ Law Department, or for the CityScape consultants to review his draft before it was presented to the Commission on April 22, 2014.

Mr. Goddard confirmed that the stay on wireless applications expired on May, 19, 2014. He said his understanding was that he should concentrate on the Ordinance, rather than the Master Plan at this time.

Mr. Watson responded he felt that was correct.

Mr. Miller said the Ordinance makes reference to numerous parts of the Master Plan that are not even in the Master Plan, yet. He said the ordinance could not be passed without syncing it with the Master Plan.

Mr. Goddard said there is currently one tower which has completed the pre-application process but which has not yet applied for the Conditional Use Permit. If they were to apply for the permit April 16, 2014, the hearing would not be held on that permit until the end of May, he added.

Ms. Lawfer said she had questions, clarifications and policy that she wanted addressed in the Master Plan. She asked the Commission if that was their situation as well.

Mr. Haight said that he found the first three to four pages of the Master Plan were primarily historic and technical in nature. He added that in his opinion, the Plan is lacking in policy. He said that is the part he felt the Commission needed to work on, and that items such as the DAS were not referenced in the Master Plan at all.

Mr. Watson said following public comment at next week's meeting, that the Commission would make its recommendations to Mr. Goddard, and it would also be looking at policy.

#### **XV. ADJOURNMENT**

The meeting was adjourned at 10:26 p.m.