

MINUTES

PLANNING COMMISSION Regular Meeting City and Borough of Juneau **Mike Satre, Chairman**

December 9, 2014

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 7:00 pm.

Commissioners present: Mike Satre, Chairman; Dennis Watson, Vice Chairman; Bill Peters, Karen Lawfer, Ben Haight, Nicole Grewe, (telephonically), Dan Miller, Paul Voelckers

Commissioners absent: Gordon Jackson

Staff present: Hal Hart, Planning Director; Beth McKibben, Senior Planner; Laura Boyce, Senior Planner; Chrissy McNally, Planner I; Jonathan Lange, Planner II; Tim Felstead, Planner I; Allison Eddins, Planner I; Rob Steedle, Deputy City Manager

II. APPROVAL OF MINUTES

- November 13, 2014 – Committee of the Whole Meeting

MOTION: *by Mr. Miller, to approve the November 13, 2014, Planning Commission Committee of the Whole meeting minutes with any minor modifications by any Commission members or by staff.*

The motion was approved with no objection.

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

IV. PLANNING COMMISSION LIAISON REPORT

Assembly Liaison, Loren Jones, reported there was a status hearing in early December on the Bicknell appeal and that the next status hearing will be on January 28, 2015. Tomorrow night (December 10, 2014) the Human Resources Committee will be interviewing six candidates for

the Planning Commission and eight candidates for the Bartlett Regional Hospital board. On December 16, 2014, the Auke Bay Plan will be presented to the Commission. Mr. Jones said he wanted to thank the staff for all of their hard work on the Auke Bay Plan. In spite of a constant turnover of committee participants for the Auke Bay Plan, the staff did an excellent job of carrying forward a comprehensive plan for Auke Bay to fruition.

V. RECONSIDERATION OF THE FOLLOWING ITEMS - None

VI. CONSENT AGENDA

CSP2014 0021: A City Project Review of Eagles Edge subdivision water system and drainage improvements.
Applicant: City and Borough of Juneau
Location: Eagles Edge Subdivision- Gull Way

Staff Recommendation

Based upon the proposed plan (identified as Attachments A and B), and the findings and conclusions stated above, the Community Development Department Director recommends the Planning Commission **RECOMMEND APPROVAL** to the Assembly for the request.

VAR2014 0020: A Variance request to reduce the front yard setback along Glacier Highway to allow construction of a house and garage.
Applicant: John & Nancy Norman
Location: 17225 Glacier Highway

Staff Recommendation

Staff recommends the Board of Adjustment adopt the Director's analysis and findings and grant the requested Variance, VAR2014 0020. The Variance permit would allow for construction of a single family home and attached garage up to 5 feet from the front property line with the following conditions:

1. Staff recommends a condition requiring an as-built survey to confirm the 5 foot setback prior to issuance of a certificate of occupancy.

MOTION: *by Mr. Miller, to approve CSP2014 0021 and VAR2014 0020 on the Consent Agenda as read with staff's findings, analyses, recommendations and conditions.*

The motion was approved with no objection.

VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS - None

VIII. UNFINISHED BUSINESS

AME2014 0004: Amendment to remote subdivision area map to include Hidden Valley Tract B in the upper Lemon Creek Valley.
Applicant: Zack Worrell & Jim Eliason

Location: Upper Lemon Creek Valley

Staff is seeking guidance from the Commission on whether the gravel road that the applicant has put on their property still qualifies their parcel to be designated as Remote, explained Mr. Lange.

The purpose of the Remote Subdivision Ordinance is to provide a waiver for design and improvement requirements related to the requirements of a major subdivision such as access and utilities such as water, said Mr. Lange. Areas defined as remote should not be:

- ✓ near capital improvements
- ✓ in a new growth area
- ✓ connected to the road system and
- ✓ served by right-of-way, water system, fire protection or police protection, or maintained by an agency of government

In May the Commission made the decision to recommend to the Assembly that this parcel of land in Lemon Creek be designated on the Remote Subdivisions Area map as Remote, said Mr. Lange. Since then, said Mr. Lange, the applicant has installed a road. Mr. Lange said the Department would like a decision from the Commission this evening as to whether this road affects the standing of the land to be designated as Remote.

The applicant wants to build a subdivision in that area, explained Mr. Lange, and if the land remains designated as Remote than there would be no road standard or community water system or other utilities required, he explained.

Mr. Lange showed other areas in the Borough that are designated as Remote, such as Spuhn Island, which is accessed only by water. He also showed a map displaying the back of the west side of Douglas Island, which is designated as not remote.

He added that the applicant has proposed placing a gate separating their access road from the haul road. He said the applicant's road is 12 to 16 feet wide.

Commission Questions and Comments

Mr. Voelckers asked if the staff perhaps working in conjunction with the Law Department had done any further work on the definition of a road. He said this seems to be a key determinant of what this issue hinged upon. More specifically, asked Mr. Voelckers, does the road installed by the applicant meet the City definition of a road.

The 12 to 16 foot width does not meet the standard of a road for subdivisions, said Mr. Lange. It would be more in the realm of the standard of a private driveway, he added. He said a road is required to be approximately 28 feet in width for a Rural Reserve area.

Mr. Miller said he did recall the Commission discussing that there would be some access out to the site whether it be a trail or a rough road of some sort. He said Spuhn Island was mentioned as an example of a Remote designation and the interior of Spuhn Island is riddled with roads.

The water access to Spuhn island can be viewed as just a continuation of the road, said Mr. Miller. He said he did not understand why this was before the Commission once again when it was his initial understanding that there would be access to the sites.

Mr. Haight asked what drove the particular statement “should not be connected to the road system” in Title 49 of the code.

Mr. Lange said he did not know the impetus behind that statement in Title 49 regarding the road system. He said in his view this is now something substantially different than what the applicant had proposed before the Commission in May when it approved the Remote map amendment.

Mr. Palmer said the language including “not be connected to the road system” was provided to describe parcels of land that were accessed by salt water, which is why the Spuhn Island example fit well in those circumstances even though there are roads within the island. This fact pattern is one of those hybrids that could or could not fit this circumstance, said Mr. Palmer. It had been suggested that the staff come back to the Planning Commission because there had been discussion at the last meeting about what was connected to the road system or not, said Mr. Palmer.

Mr. Watson said he did recall conversations about trail access to the sites although he did not recall specific width at the time the Commission made its decision in May. He said it would have helped a lot had the applicant been more clear in May as to what their plans were regarding the access and the size of the trail at that time.

Mr. Watson said the only public notice that he viewed regarding this meeting was posted near Home Depot. He asked if there were other locations.

Mr. Lange responded a sign was also posted near the end of Anka street near where a CBJ sign is posted regarding the Lemon Creek extraction area.

Ms. Grewe said that like Mr. Watson, she recalls there was discussion at the May meeting by the applicant that some sort of trail access would be constructed, but that she did not recall plans for something along the lines of a road being discussed. She said she felt this put the Commission in somewhat of a quandary at this point. Ms. Grewe said she wants to support this subdivision, but at the same time she worries about future Planning Commissions, and how this may affect future Remote-designated properties.

Mr. Voelckers stated that at the previous meeting regarding this issue in May, Capital Fire and Rescue had expressed concerns about health and safety for the subdivision because of access issues. He asked if there had been further comments on this issue from Capital Fire and Rescue. He asked if perhaps their concerns had been increased or decreased because of this semi-road which had been constructed. He asked if perhaps Fire and Rescue felt the expectation may arise that these services be provided if there was a partial road in place.

Mr. Lange responded they have not received any comments from Capital City Fire and Rescue on the project this time around.

Ms. McKibben said when the Fire Department reviews private roads or driveways within a development they require a width minimum of 20 feet, as well as a gravel surface. The existing road in the remote subdivision under discussion would not meet the requirements for service, she said. They would not be able to take a truck down that road, she added.

Chairman Satre said he is not even sure why this issue is before the Commission this evening. The recommendation to approve the Remote Subdivision Area map amendment was approved by the Commission back in May, he said. The staff told the Commission at the time that the onus would be on the applicant when they came forward with an application for a subdivision to show that they did not have road access, said Chairman Satre. It was only at that time the Commission would need to deal with that issue, he said.

Mr. Palmer responded he did not believe there was an application from the applicant at this time for a subdivision. He said this was before the Commission this evening because the staff believed that there was a substantial change in facts from when this application was initially reviewed by the Commission in May (2014).

Chairman Satre responded there appear to have been some improvements, however there has been nothing filed for any development for any application to come before the Commission. He asked rhetorically if every time someone weed whacks a road out to their private property, if the Commission needs to go through a process to address the fact that there might be access to an area.

Mr. Palmer responded that for the hypothetical situation provided by Chairman Satre, he did not believe that would be necessary to be reviewed by the Commission. He said it is because of the discretionary language in the Remote Subdivision map that provides the Commission with the discretion whether or not a road that reaches a parcel still makes that parcel qualify as Remote or not Remote.

Land Owner Representative

Representative for the land developers Jim Clark said this is before the Commission as a policy question because the issue of a road/no road is discretionary. He said he thought the 2004 Commission decision on Spuhn Island was going to be distributed to the Commission prior to the meeting. That issue was not a road but the fact that Spuhn Island was going to have water installed within the development, because the language had said if there was water and sewer installed within a development that it would not qualify as Remote, said Mr. Clark.

At that time the staff said that even though it was the intent to provide water and sewer to the development in the future by way of a private water line it was not specifically prohibited but rather it was suggested that it not be.

The applicant's plan is on constructing a truly back country, rural experience for people who want that type of experience, said Mr. Clark. This would include no electricity, no water and an outhouse, he said. This experience would not be for everyone, said Mr. Clark. They want to provide access to these sites by a rough back country type of road, he said. This type of road can be accessed by four-wheel-drive SUV's and pickup trucks, said Mr. Clark.

The question is, said Mr. Clark, do the benefits of providing road access outweigh the potential detriments and is the Commission comfortable with the interpretation that this is a discretionary item, and is the Commission willing to stand by the Map Amendment decision that it made on May 13, (2014).

There will be deed restrictions required which will maintain the rural aspect of the property such as no water, no sewer and no electricity, said Mr. Clark, which would help protect the City from being held liable for having to provide those services, he said. If individuals wanted those services they would have to provide for those services themselves, he said.

Commission Questions and Comments

Mr. Watson said their concerns expressed during the presentation in May addressed the concerns of a road. Mr. Watson said he would consider this more of a trail.

There would be access, said Mr. Clark. This access is something that the Commission can decide to allow consistent with a map change to a Remote subdivision, said Mr. Clark.

Mr. Voelckers asked if there is anything about the designation as a Remote subdivision now that locks in an interpretive path in terms of how a future application would be evaluated.

With the Commission's recommendation of the parcel designated as Remote the applicant would then provide a subdivision plat that does not show those design criteria that show what the staff looks for in water systems and sewer systems, said Mr. Lange.

Mr. Voelckers interpreted that the future application would be evaluated upon its merits at the time.

The staff agreed with this interpretation.

Mr. Miller asked what defines being connected to the road system. He said last time he was told a road was defined as having vehicular access and a gutter on both sides. He said he understood this to mean that if the applicant built the road to standard then this would mean it was connected to the road system.

MOTION: *by Mr. Watson, to let the findings stand on AME2014 0004 that the Commission made on May 13, 2014, without any further revisions, and asked for unanimous consent.*

Mr. Haight spoke in support of the motion and said that he felt when the Commission spoke of a road that it was referring to a road that met CBJ standards, not a one lane track or trail.

Mr. Voelckers also spoke in support of the motion, while voicing the concern that a precedent may be set when a more conventional subdivision may be established near the edge of developed land, put in a substandard road, and announce that is all they intended to do.

Chairman Satre said hopefully the Remote Subdivision Area map would address that issue. He said he supports the Commission's decision and that given this parcel's location it made sense to place it within the Remote Subdivision Area map. At the appropriate time there are also the various restrictions which can be placed upon the parcel, added Chairman Satre.

The motion passed by unanimous consent.

Capital Improvement Project (CIP) Project Nominations CSP2014 0020 was moved to later in the agenda to enable those waiting to give public comment on other items on the agenda the opportunity to do so earlier in the evening.

The commission convened as the Board of Adjustment.

VAR2014 0025: Variance to reduce the rear yard setback from 20 feet to 0 feet to place three shipping containers for a commercial hydroponic farm.

Applicant: Allen & Gerri Butner

Location: 9220 Lee Smith Drive

Staff Recommendation

Staff recommends that the Board of Adjustment adopt the Director's analysis and findings and **DENY** the requested Variance, VAR2014 0025.

If the Board of Adjustment chooses to approve the Variance the staff recommends a five foot rear yard setback instead of the requested zero foot setback.

The applicant, Mr. Butner, provided supplemental answers to the variance requirements in support of his project which he supplied to the Commission.

Since the Commission had the most problem dealing with the first requirement, Mr. Butner addressed that requirement. He said the authorization of a variance would allow him to place all six vans in the center of the property and toward the back, to minimize disturbances to the neighbors to the side. Without the variance, he would not have room to fit two container vans in the backyard, and would be forced to place them on the east side of his home, which has a five foot setback. This would not be an ideal situation for him, or the neighbors, as the vans would be solidly visible from the road and businesses across the street. Granting this variance would allow him to keep everything in the back, minimizing the impact to the neighborhood, he explained.

Variance requirement Number Three; that the authorization of the variance will not injure nearby property, Mr. Butner justified much like he explained variance requirement Number One. He explained that with the authorization of the variance to allow him to place all six vans in the center of the property toward the back it would minimize disturbances to the neighbors to the side, and without the variance he would not have room to fit two container vans in the backyard, and would be forced to place them on the east side of his house which has a five foot setback. Granting this variance would allow him to keep everything in the back, minimizing the impact to the neighborhood, he explained.

In explaining why he felt that he met Variance Requirement Five (B); that his development was consistent with development in the neighborhood, Mr. Butner said that within a 500 foot circle of his proposed business there are 25 residential homes as well as numerous businesses

including a bank, gas station, two large hotels as well as other businesses. He stated that based upon the above data that the neighborhood surrounding his property is predominantly commercial, and that allowing the setback variance is very consistent as to scale, amenities, appearance and features with the existing development in the neighborhood.

In answer to Variance Requirement Number Six; that the variance would result in more benefits than detriments to the neighborhood, Mr. Butner responded that again, the authorization of this variance would allow him to place all six vans in the center of the property and towards the back, to minimize disturbances to the neighbors to the side. Granting this variance would allow him to keep everything in the back, minimizing the impact to the neighborhood, he stated.

Mr. Voelckers asked Mr. Butner to summarize his proposal again for the Commission and if this involved encroachment onto City property.

They installed a sandbox, said Mr. Butner, and when the neighbors had a survey done they were surprised to see that it encroached onto that property. He said the encroachment involves a pile of sand and not a structure. He said they do not anticipate touching that area.

They plan on placing three container vans side-by-side stacked two containers high. They accept staff's recommendation of a 5 foot rear yard setback. The processing area for the business will be in the remodeled garage of their structure. The lettuce will be loaded in a 15 passenger van and delivered to the local businesses, explained Mr. Butner.

Under questioning from Mr. Voelckers, Mr. Butner indicated on a map where they would plant vegetative screening on the far side of Lee Smith Drive.

MOTION: *by Mr. Miller, to approve VAR2014 0025 with the new findings including the staff recommendation of a five foot rear yard setback instead of the requested zero foot setback.*

In support of his motion Mr. Miller stated that on Number One that the relaxation applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.

Number Two, public safety and welfare, can be preserved with the five foot setback and the fact that it is up against a vacant lot and is not accessible to a road, at the same time affording air, light, and circulation meeting the intent of the title, said Mr. Miller.

Number Three is met again by staying five feet away from the property line. It does not injure nearby property and the fact that he could go three containers high and not two containers high shows discretion in avoiding the injury to other property owners which could be caused by the three foot high stacking of the container vans, said Mr. Miller.

Number Four is already met. Number Five (B) as stated by the owner in his testimony is land that is surrounded by commercial property and activity, so this activity does fit into the area, said Mr. Miller.

Number Six has more benefits than detriments to the neighborhood, said Mr. Miller. The benefits are really to the entire community. This project fits in with the whole issue of sustainability which the Assembly created years ago. A Local business growing fresh vegetables for the community is exactly what the issue of sustainability is all about, he said.

Mr. Voelckers said he was interested in the condition of the side fence and the narrow trees which had been discussed, and would like to propose that as a potential friendly amendment to the motion.

Chairman Satre clarified with the staff that the screening is already a requirement within the CUP (Conditional Use Permit).

As a friendly amendment, Chairman Satre stated that since they were dealing with just a five foot setback, that he would like a surveyed as-built that there is only a 5 foot encroachment setback before a certificate of occupancy is issued.

Mr. Miller accepted the friendly amendment.

FINAL MOTION: *By Mr. Miller, with friendly amendment by Chairman Satre, to approve VAR2014 0025 with the new findings, including the staff recommendation of a five foot rear yard setback, and that a surveyed as-built be performed indicating there is only a five foot encroachment into the setback area before a certificate of occupancy is issued.*

The motion passed with no objection.

The Board of Adjustment adjourned, and reconvened as the Planning Commission.

IX. REGULAR AGENDA

PDP2014 0001: Preliminary plan review for a 12 unit Planned Unit Development.
Applicant: Corvus Design
Location: 5405 North Douglas Highway

Staff Recommendation

Staff recommends that the Planning Commission adopt the Director's analysis and findings and approve the preliminary plan for the North Douglas Planned Unit Development. The approval would allow for the development of the final plan for the North Douglas Planned Unit Development in accordance with CBJ 49.15.640. The approval of the final plan is subject to the following conditions:

1. Prior to final plat approval a plat note will state, "Lot 7B1 is permitted to be developed with twelve single family dwelling units. No additional dwelling units are allowed on the lot beyond what is indicated."
2. Prior to final plat approval a plat note stating "there shall be no disturbance or development within 25 feet of the exterior boundary of the North Douglas PUD."
3. Prior to final plat approval a pedestrian access easement will be noted along the southeast boundary of Lot &A1.

4. Prior to the issuance of a grading permit the developer must submit a Temporary Erosion Control plan.
5. Re-vegetation of disturbed slopes shall be completed within three growing seasons.
6. Prior to the issuance of a grading permit the developer must identify location of at least three fire hydrants and whether the minimum flow of 2,500 GPM (GALLONS PER MINUTE) can be met. Alternatively, if the developer chooses to install a sprinkler system in each unit, which will be reviewed during the building permit review.
7. With the exception of parks and public trails, all development within this PUD must be setback from the exterior boundary of this development at least 25 feet.
8. Unless granted a Variance, the proposed driveway must be redesigned to avoid the 25 foot no development buffer.
9. The articles of incorporation and bylaws of the homeowners' association, required under AS 34.08 or CBJ 49.15 Article VI, shall be prepared by a lawyer licensed to practice in the state.
10. The association documents shall specify how common facilities shall be operated and maintained. The documents shall require homeowners to pay periodic assessments for the operation, snow removal, maintenance and repair of common facilities. The documents shall require that the governing body of the association adequately maintain common facilities.
- ~~11. The homeowners' association shall annually retain a licensed engineer to inspect the private utility system and provide a report on its condition to the Engineering Department.~~
12. The project shall incorporate the BMPs from the Manual of Stormwater Best Management Practices, produced by the CBJ in partnership with the USF&WS, 2008.

This item is for a 12 unit planned development along the North Douglas Highway, said Ms. McNally. The proposed development is located about two miles on the North Douglas Highway from the Juneau Douglas bridge, she said. The site encompasses about 2.75 acres, said Ms. McNally. The minimum lot size for this type of development is three acres and since the developer owns the adjacent property he would add some of the adjoining property to meet the required three acres, said Ms. McNally, creating a total of 3.19 acres, she said.

According to Title 49, the Commission is asked to evaluate eight criteria for preliminary plan approval, said Ms. McNally. Of those eight criteria, the common driveway does encroach into the 25 foot buffer, said Ms. McNally. In order to maintain the necessary grade for the driveway, this was necessary for the applicant, so the Commission will see the applicant coming before it with a variance application, she said.

The units are roughly 2,300 square feet, with their own driveway and garage, said Ms. McNally. The units are proposed to be constructed with geothermal heating and a five star energy rating, she said. The 12 units would generate 115 average daily trips, said Ms. McNally.

The staff finds that the application is complete and that the use is appropriate according to the Planned Unit Development Plan approval, said Ms. McNally. The application met all the public

notice requirements, and all other requirements for staff approval of the preliminary plan.

Ms. McNally recommended that Condition 11 be eliminated as being too restrictive.

Mr. Miller asked if the driveway to the development was part of the common space calculation.

Ms. McNally answered that it was not part of the common space calculation.

Mr. Watson asked if the pathway had a destination or if it simply ran into the ditch.

Ms. McNally did not mention that it had a specific destination.

Mr. Watson asked why the specification was made that the path ran from someplace to no place, since the highway could not be accessed.

Ms. McNally replied that the path could be redesigned to follow the driveway but that it would still have to go through the lower lot.

Mr. Watson said he did not recall seeing all of the requirements listed in Title 49. He asked about their origin.

Those requirements were taken from the standard conditions for home owner associations, replied Ms. McNally.

Mr. Voelckers asked why a condition was not placed upon access and vehicular circulation since the 12% figure was higher than the Fire Department would customarily accept at 10 percent.

Without special exceptions the maximum is 10 percent, said Ms. McNally. The Fire Department allows the applicant to submit a code modification form stating why that 10 percent figure cannot be met, she said. They are required to have three fire hydrants or sprinkle all the units and that is a separate issue from the grade, said Ms. McNally.

Applicant

Chris Mertl of Corvus Design said they support the conditions as made by the staff as they move into the final permitting process.

Mr. Watson asked if this preliminary permit was approved by the Commission this evening when they anticipated they would be able to begin construction on the project.

Ideally, they would like to begin construction this spring, answered Mr. Mertl.

Mr. Voelckers asked if the applicant could elaborate on the site runoff conditions.

They are constructing a shot rock fill channel, responded Mr. Mertl. It would be the same

amount of storm runoff that is currently going into the North Douglas system, he added.

Mr. Miller asked what comprised the square footage they used to determine the common area. Mr. Mertl responded that they did not use the roads to calculate that square footage. They used anything that would be green, open space to calculate open areas, he added.

Mr. Miller asked if they liked where they had installed their pedestrian access pathway.

Mr. Myrtle responded that they liked where they installed their pathway. They had it directed towards town, he said, and also in terms of accessing the open space it made the most sense, he said.

MOTION: *by Mr. Watson, to approve PDP2014 0001 and accept staff's findings and recommendations with the deletion of Number 11, and asked for unanimous consent.*

The motion passed by unanimous consent.

TXT2009 00001:	Proposed amendments to Title 49 regarding subdivision requirements.
Applicant:	City and Borough of Juneau
Location:	Borough-wide

Staff Recommendation

Staff recommends that the Planning Commission forward proposed TXT2009-00001 to the Assembly with a recommendation for adoption.

Ms. Boyce told the Commission that at the last Committee of the Whole meeting regarding this Title 49 Subdivision Ordinance the staff was asked to withdraw the proposed change regarding Planning Commission meeting absences proposed in CBJ 49 Chapter 10. That has subsequently been removed, said Ms. Boyce. That will go to the Title 49 Committee for further consideration, she said, as previously decided

The staff was asked to clarify the proposed changes to Chapter 70 because they needed more work, she said. Those changes are now included, she said.

Mr. Haight said he felt this was at the point where it should be submitted to the Assembly for approval.

Public Comment

Ms. Gretchen Keiser said she lives in a rural, low density self-contained neighborhood near the end of North Douglas Highway. She said she would like the Commission to consider adding language to the current draft code that allows the Director to approve a privately maintained driveway with a private right-of-way or easement in circumstances which could be limited to driveways with historical uses as access, she suggested.

Her area of multi-acre lots would like a way to secure better access to their lots, she explained. In the letter she handed out to the Commission she also crafted draft language for the code for the Commission's consideration.

Commission Comments and Questions

Mr. Miller clarified that there is an easement shared by all of the lots that leads to the North Douglas Highway.

Mr. Voelckers noted in the Subdivision Ordinance in 49.15.410 he would like the new terms "access driveway" addressed that were serving 13 or fewer lots. He also noted that a few lines later there is a category that should simply be labeled "Design Criteria". Later on in 49.17.410 (B1) there remains the old number of eight lots which he said he believed needs to be raised to 13 lots to be consistent. He said he thought it had been discussed with Mr. Palmer that there was aspirational language that cul-de-sacs should be discouraged. He said that language remained in at least one section. He said he didn't know if that was intentional.

Mr. Voelckers said his final point was that he had asked a few weeks ago what the trigger mechanism was for the evolution of a budding driveway into a larger street. Mr. Voelckers read suggested language.

Chairman Satre asked Mr. Palmer if he had any problems with the with the language suggested by Mr. Voelckers regarding streets.

Mr. Palmer's said he felt the language was reasonable and should be recommended.

Chairman Satre said the assumption is that those changes recommended by Mr. Voelckers would be brought forward.

Regarding the issues raised by Ms. Keiser, Mr. Miller asked if there is a mechanism by which an easement can be turned into a right-of-way.

Mr. Palmer responded that the ultimate question before the Commission is whether or not the Commission wants to allow subdivisions that do not have access to a public right-of-way. Currently the code and the proposed code require that a lot abuts a public right-of-way, said Mr. Palmer. What Ms. Keiser is requesting is that either a public right-of-way be dedicated which would require a platting process, or would require a code change to allow for access to a privately maintained easement that then connects to a right-of-way, said Mr. Palmer.

When they were discussing Hidden Valley, said Mr. Haight, they were talking about property in a Remote subdivision area. This particular property is not, he said.

Ms. Boyce said that Ms. Keiser's property does not have city water or sewer service.

While the Keiser property shares similar characteristics it is not in a declared Remote subdivision area as illustrated by the maps, said Mr. Haight. Mr. Haight said he liked the

proposed language submitted by Ms. Keiser but that it needed to be vetted through the process. This issue could be addressed as a separate issue to the Assembly, said Mr. Haight.

Mr. Miller asked if when a public right-of-way was created, if public utilities needed to accompany that public right-of-way.

A public right-of-way does not require utilities, said Mr. Palmer.

MOTION: *by Mr. Haight, that the subdivision modifications to the code be moved to the Assembly for approval with the corrections discussed by the Commission this evening.*

The motion passed with no objection.

Chairman Satre said that it is a great credit to the members of the Subdivision Review Committee that after three years of work this is ready to be presented to the Assembly.

CSP2014 0020:	Planning Commission CIP project nomination.
Applicant:	City and Borough of Juneau
Location:	Borough-wide

Please review the list and provide suggestions you may have for projects to be included in the list.

Traffic at the roundabout and the Juneau Douglas bridge is getting to the point where it is time to seriously be considering a second Juneau Douglas crossing, said Mr. Haight. It is not something that can be moved forward quickly but it is time to be starting the process, he said.

Mr. Watson said there are at least two other access points onto Douglas Highway that the Borough needs to review. One of those access points is up off of Cordova Street and the other access point is off of Nowell Street on Douglas.

Ms. Lawfer said she concurred with both the comments Mr. Haight and Mr. Watson. She said she would like to see community planning along the nature of what happened in Auke Bay this year continue in another Juneau community next year.

X. **BOARD OF ADJUSTMENT** - None

XI. **OTHER BUSINESS** - None

XII. **DIRECTOR'S REPORT**

Auke Bay

There are some long discussions between the Auke Bay steering committee and the Department of Transportation on speed issues, said Mr. Hart. There are a lot of paths and trails coming from the center of the Brotherhood Bridge all the way to Auke Bay, said Mr. Hart. Six foot sidewalks will be in place, he said. There are also port and view protection issues, said Mr.

Hart. The plan does attempt to address and mollify some of these issues, he said. The port is going to be adding a lot of fill which will change some views, he said.

Commission Training

Ms. McKibben said they have typically invited the City Attorney and the Clerk's office to do some training with the Planning Commission. They would like to set the date of January 27, (2015) for this training. This will be in the form of a Committee of the Whole meeting prior to the regular meeting.

Childcare Information

The staff was planning on presenting information requested by the Commission on child care at the January 13, (2015) meeting, said Ms. McKibben. Since then, proposed amendments on child care have been made to the Assembly, said Ms. McKibben. She said the Commission may end up with an ordinance to review instead. Ms. McKibben wanted to know if the Commission still wanted a white paper on the issue presented as well.

Chairman Satre said he would still like a reference as to what some other communities in Alaska are doing regarding child care to put the issue in perspective for Juneau.

Sign Enforcement Fees

Ms. McKibben said the Historical Resources Advisory Board would like to bring forward an amendment to Title 49 for fees associated with sign enforcement which is currently a \$25 fine.

Mr. Voelckers asked if there had been an amendment done expanding the historic standards of buildings within the downtown district for inclusion of native design elements like the Assembly previously requested Mr. Hart responded that he has talked to many building owners downtown who would like to expand the District to be included in it.

Ms. Boyce answered that the Historic Resources Advisory Committee has discussed amending the Standards as requested by the Assembly, but has not yet formulated specific language. The Historic Resources Advisory Committee has applied for a grant from the State to update the Preservation Plan that has been in draft status since 1996. They have received a grant to work on the first phase of this plan, said Ms. Boyce, and they will be looking at these types of issues as they develop the CBJ's strategic preservation plan.

XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES

Lands Committee

The Lands Committee met last night, said Ms. Lawfer. They moved the Mt. Roberts Tram lease amendment to the Assembly, as well as the ordinance proposals on changes to childcare, she said. There was also discussion on a motocross facility located above Lena, she said.

Public Works and Facilities Committee

The Public Works and Facilities Committee met on Monday, said Mr. Watson. They are going to be studying downtown parking management again, said Mr. Watson. That is a \$75,000 fund allocation to primarily be studying the kiosk system, he said.

XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS

Mr. Miller said he was reminded during their tour of the Walter Sobeloff building this evening that in order for that building to be constructed that several variances were required. The building speaks for itself, said Mr. Miller.

Mr. Miller said he is absolutely amazed at the amount of work done on the subdivision ordinance passed on to the Assembly this evening. He said there is still work to be done; a little work in the bungalow housing area and perhaps a total rewrite in the cottage housing area. Tonight's PUD was the first one done in eight years, said Mr. Miller. It is a good tool if used in the right situation, said Mr. Miller.

Ms. Lawfer said this will be her last Planning Commission meeting. She said she will attend the Committee of the Whole Meeting next week.

XV. ADJOURNMENT

The meeting was adjourned at 9:50 p.m.