

Agenda
Planning Commission
Regular Meeting
CITY AND BOROUGH OF JUNEAU
Ben Haight, Chairman
February 19, 2019

I. ROLL CALL

Ben Haight, 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 7:03 p.m.

Commissioners present: Ben Haight, Chairman; Paul Voelckers, Michael LeVine, Andrew Campbell, Ken Alper, Dan Hickok

Commissioners absent: Nathaniel Dye, Travis Arndt, Shannon Crossley

Staff present: Jill Maclean, CDD Director; Teri Camery, Senior Planner; Tim Felstead, Planner II; Allison Eddins, Planner II; Amy Liu, Planner I; Laurel Bruggeman, Planner I; Jane Mores, Assistant Municipal Attorney; Mike Vigue, Director of Public Works; John Bohan, Chief CIP Engineer; George Schaaf, Director of Parks and Recreation; Alix Pierce, Parks and Recreation Projects Manager

Assembly members: Wade Bryson, Assembly Liaison to the Planning Commission

II. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA - None

III. APPROVAL OF MINUTES

- A. January 8, 2019 DRAFT Minutes – Planning Commission Committee of the Whole
- B. January 8, 2019 DRAFT Minutes – Planning Commission Regular Meeting
- C. January 22, 2019 DRAFT Minutes – Planning Commission Regular Meeting

MOTION: *by Mr. LeVine, to approve the Planning Commission January 8, 2019 Committee of the Whole minutes, the January 8, 2019 Planning Commission Regular Meeting minutes, correcting the name of Assembly Liaison to the Planning Commission Wade Byson, and the January 22, 2019, Planning Commission Regular Meeting minutes with any other minor changes made by staff or Commission member.*

The motion passed with no objection.

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

V. ITEMS FOR RECONSIDERATION - None

VI. CONSENT AGENDA

CSP2018 0019: A City Project to reconstruct portions of Columbia Boulevard and Poplar Avenue with replacement of storm drains, water and sewer services, and the addition of a sidewalk

Applicant: City & Borough of Juneau Engineering Department

Location: Columbia Boulevard and Poplar Avenue

Staff Recommendation

Staff recommends that the Planning Commission find CSP2018 0019 to be consistent with adopted local plans and polices, as required by CBJ 49.15.580, and **approve** CSP2018 0019 to reconstruct portions of Columbia Boulevard and Poplar Avenue for drainage, sewer, paving, sidewalk, and lighting improvements.

Staff further recommends the following two advisory conditions in order to provide consistency with adopted plans and give all possible notice to the applicant and the project contractor:

1. Per *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 is first obtained from the Building Official. Such permit shall be issued by the Building Official only upon a determination that operation during those hours 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 Marshal 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 a fine as an unlawful street closure under CBJ 72.17.010.

USE2018 0023: A Conditional Use Permit for transitional housing

Applicant: Central Council Tlingit & Haida Indian Tribes of Alaska

Location: 1255 W 9th Street

Staff Recommendation

It is recommended that the Planning Commission adopt the Director's analysis and findings and **approve the requested Conditional Use Permit**. The permit would allow the development of a transitional housing project in the waterfront commercial zoning district.

The approval is subject to the following conditions:

1. A manager or owner shall live on site.
2. The applicant shall stripe the parking lot according to the parking plan submitted by the applicant (Attachment B).
3. If the requested parking waiver is not approved, the applicant must provide six (6) parking spaces on-site, or through a parking agreement with a neighboring property owner.
4. At least 449 square feet of vegetative cover must be maintained on the subject parcel.
5. Maximum residential occupancy shall not exceed 17 without approval from the Building Code Official to ensure that occupancy loads are met.

PWP2018 0004: A Parking Waiver for transitional housing
Applicant: Central Council Tlingit & Haida Indian Tribes of Alaska
Location: 1255 W 9th Street

Staff Recommendation

Staff recommends that the Planning Commission adopt the Directors analysis and findings and grant the requested parking waiver with conditions. The approval of PWP2018 0004 would reduce the required parking spaces from six (6) spaces to three (3) spaces for the subject parcel. The approval is subject to the following conditions:

1. Prior to opening the transitional housing facility, the applicant must stripe the parking lot and install ADA van accessible signage on-site according to the parking plan provided with this application.

Mr. Voelckers said he wanted to state for the record that the Conditional Use Permit for transitional housing and the associated parking waiver were beautifully put together projects with lots of data, analysis and answers.

MOTION: *by Mr. LeVine, to approve CSP2018 0019, USE2018 0023, and PWP2018 0004 accepting staff's findings, analysis and determinations.*

The motion passed with no objection.

VII. UNFINISHED BUSINESS – None

VIII. REGULAR AGENDA

CSP2018 0012: Planning Commission review of the Capital Improvement Program for FY2020-2025
Applicant: City & Borough of Juneau
Location: Borough-wide

Staff Recommendation

It is recommended that the Planning Commission review the draft 2020 CIP list in the context of the Commission's November memorandum. The Director of Public Works and Engineering will be available at the meeting for discussion.

Mr. Felstead said that back in November the Planning Commission had issued a memorandum to the CBJ Public Works and Facilities Committee regarding the fiscal year 2020 to 2025 Capital Improvement Program (CIP). A number of recommendations were provided in that memorandum. The first CIP draft has been released by the CBJ Public Works and Facilities department, he said. This CIP draft has been brought back to the Commission for any additional comments and for the opportunity for public to comments, said Mr. Felstead.

Commission Comments and Questions

Mr. LeVine asked if when the CIP is approved if it is for the forthcoming 2020 year through 2025.

Mr. Bohan said this is for the projects proposed for the next fiscal year. It comes out of the Public Works and Facilities Committee in March and gets referred to the Finance Committee, he said.

Hagevig Training Center

Mr. Voelckers said the Commission recently had a project up for a rezone in that area. He said there was a lot of strong testimony that part of the Hagevig mission was to have smoky operations with no concessions made. The rezone that was proposed near that area was turned down. Part of the reason was so that the use of this facility was not constrained, said Mr. Voelckers. He said he felt the description for the training center was different than Information which had been supplied to the Commission.

While those concessions are being made, the fire department is aware that it needs to be a good neighbor, said Mr. Vigue. Considering that it has close neighbors in the area, the fire department does have issues it still needs to have addressed.

Mr. Hickok asked if any of these recommendations will reflect recent state budget cuts.

Mr. Hickok was told that the CIP list is not connected with state funding. The exception to that would be a state or federal grant through the Department of Transportation. The projects entitled "Unscheduled Funding" are projects with no funds attached, which may in the future have some state or federal funds attached to them. The rest of the projects on the CIP list are covered through City sales tax, he was told.

Mr. Alper asked if the CIP budgets outlined are brought before the Commission at an earlier date as the project list is developed. He said it appears that the numbers are tied to the actual expectation of revenue from the sales tax.

He was told the numbers are provided by the Finance Director. Parts of these estimates are based upon the projection of what one percent of the sales tax will be.

Mr. Alper verified that the budget numbers are what the Commission had been aware of at some earlier date, or if this is the first time the Commission has been presented with these figures.

This is the first time these numbers have been presented, he was told.

Mr. LeVine said he is pleased to see items on this list recommended by the Planning Commission such as the Capital Avenue Willoughby to Ninth Street maintenance, with at least three other items on this list that appear to be related to implementing the Juneau Commission on Sustainability's recommendations. Mr. LeVine said he has been approached by several residents along Calhoun Avenue when that project would come forward for work.

Mr. Bohan said they are still in a holding pattern regarding Calhoun Avenue because it acts as the detour coming into town until the Egan work has been accomplished. They would like to move forward with it since it has a pretty significant need of water utility as well as street repair, he said.

Mr. Voelckers asked what specifics the JRES implementation encompasses.

Mr. Vigue said they wanted to place a space in the CIP for taking on this activity. The Assembly identified during its December retreat some goals under sustainability. They are trying to identify how they will push this forward, he said. They need to get a good solid plan in place as to how they are going to handle electric vehicle charging infrastructure, said Mr. Vigue. He mentioned there will be two electrically powered city busses coming to the community.

Mr. Voelckers asked about the status of a Lemon Creek bike lane or a Lemon Creek recreational accommodation. It was one of the priorities of both the Planning Commission and the area plan, he said.

This has been discussed and is in the out years, said Mr. Vigue. The community has to first be able to maintain what it already has, he said. The majority of what is in this CIP is the City's

attempt to accomplish this, he said. He said in the future years he feels the Commission will witness more activity in accordance with the Lemon Creek Area Plan.

Mr. LeVine suggested that the City maintain close contact with the Commission on Sustainability to recommend how the City proceeds in the future.

Mr. Voelckers asked about the CIP item for \$400,000 for IT infrastructure upgrades.

That item has been allocated \$400,000 a year up until FY 2022, he was told. The total was supposed to be \$2 million, said Mr. Bohan.

Mr. LeVine asked if there were funds allocated for the rebates homeowners are given for accessory apartments.

Mr. Bohan said that would not be a CIP item. That would come out of the housing fund which gets appropriated to the operating budget, he answered.

Mr. LeVine confirmed that the \$400,000 allocated for operational funds to continue the CBJ's recycling, junk vehicle and hazardous household waste program are for the continuance of the program.

Mr. Bohan said that Mr. LeVine is referring to the negotiations currently undergoing with waste management to create one stop at the landfill for a new recycling building and for household hazardous waste disposal. They are collaborating with Juneau Compost and will have the opportunity to have a spot on the landfill for a possible organics management plan. They do not at this time know exactly how this would be formulated, he said.

Mr. LeVine asked what the rationale was for allocating \$100,000 to begin design work on the crossing structure at Middle Creek. He said they approved the extension of the pioneer road largely based upon that fact that the state could not do anything else with it. He said he was not sure that he agreed with the construction of roads that have no development associated with them.

Mr. Bohan said that Mr. LeVine's comment was noted. He said it is a priority of the Lands Department, and that they have been requested by the Manager's office to move forward with this.

Mr. LeVine asked what the destination of the bridge was.

He was told it was to continue to the remainder of the CBJ property on the other side of the creek.

Mr. LeVine clarified that this is City money being used for this bridge.

Mr. Voelckers asked for a clarification of the unscheduled funding within the CIP.

Mr. Bohan said this is an optimistic outlook on potential funding. These are potential funding sources which are not committed from the existing CBJ sales tax or enterprise fund reserves.

Mr. Voelckers asked if the \$1.8 million for construction of phase 2 of Pederson Hill within the unscheduled funding would be the next phase following the current construction underway. He asked what this meant for the progression of the Pederson Hill development.

Mr. Bohan said he thinks if the funding does not occur, they will have to seek another avenue of funds for the additional development.

In answer to a question posed by Mr. Voelckers, Mr. Bohan said the passenger fee process resides within the Manager's office. The Marine passenger fee process is provided by projects selected by the Manager's office, he added.

In answer to a question posed by Chairman Haight, the Commission was told the next step in the CIP process is to present this to the Public Works and Facilities Committee on March 18, 2019. It will then be referred by that committee to the Finance Committee, he was informed.

Mr. Felstead said that the finalized CIP will be brought back to the Commission for a formal consistency review and recommendation to the Assembly in April or May of 2019.

USE2018 0024:	A Conditional Use Permit to extract up to 350,000 cubic yards of gravel from the Lemon Creek streambed over a ten-year period
Applicant:	SECON
Location:	Lemon Creek streambed

Staff Recommendation

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use Permit for gravel extraction from the Lemon Creek streambed. The approval is subject to the following conditions:

Annual Grading Permit, Bank Protection, and Seismic Monitoring –

1. The operator shall stockpile about 50 cubic yards of broken rap, equivalent to Class I rip-rap, near the project area to address emergencies if the flow becomes redirected towards the bank, unless a licensed engineer confirms in writing that storing rip-rap offsite is sufficient to address bank stabilization emergencies adjacent to the project area.
2. Prior to issuance of the first year's grading permit and approval of the first-year mining plan, the operator shall submit a bond of \$30,000, sufficient to repair any serious bank damage.
3. At least one month prior to the commencement of each mining season, the applicant

shall submit a mining plan. The mining plan shall be processed by the Engineering Department as an annual grading permit. Such plan shall include:

- a. Estimation of material to be removed
 - b. Map of area to be worked (showing property lines)
 - c. Map showing proposed culverts, access roads, bank stabilizations, berm details (including height, location, material composition and removal plan) stream relocations and other proposed features
 - d. Methods for protecting Lemon Creek from oil, fuel and hydraulic fluid (including leaks from heavy equipment)
 - e. Prior to the commencement of mining, the applicant shall verify property line location and delineate offset distance to the extraction area.
4. The top of excavation slopes shall be prohibited within 10' of any banks or the property lines.
 5. The applicant shall directly hire or pay permit inspection fees to provide for periodic inspection of the mining area by an appropriately licensed engineer and/or hydrologist.
 6. Periodic inspections shall be made as determined by the engineer and/or hydrologist, sufficient to monitor the operation. Such periodic inspections shall include visits during or after high water events.
 7. Inspection reports shall be submitted to the Engineering Department for each 10,000 cubic yards of material removed from the stream, and those reports shall include the following information:
 - a. Volume of material removed
 - b. Map of area worked
 - c. Verification of compliance with mining plan
 - d. Report of bank destabilizations
 - e. Opinion whether bank/property line setbacks are adequately protecting adjacent properties
 - f. Bank protection/stabilization measures if merited
 8. An inspection report shall be submitted at the end of the mining season which includes

all items in numbers 4-7. The report shall be submitted to the Engineering Department and to the Community Development Department within one month of the end of the mining season, or April 15.

9. The applicant/operator shall protect the structural integrity of existing stream banks and rip-rap banks. The applicant/operator shall confine all excavations to within existing rip-rap banks. Prior to proceeding with annual excavations, the applicant must find and stake adjacent rip-rap banks. A no-disturbance zone of at least 10 feet horizontal distance from adjacent rip-rap and banks is required. (This condition is necessary because rip-rap boundaries may or may not correlate with property boundaries, as noted in the earlier requirement to mine 10 feet from property boundaries.)
10. The applicant shall protect all vegetated slopes and maintain a similar non-disturbance zone identified above, unless a site-specific engineering analysis indicates otherwise.
11. All cut-slopes shall be less than 2 horizontal to 1 vertical unless a site-specific engineering analysis proves that a steeper slope protects adjacent properties.
12. Excavated areas within the creek bed must be clearly marked with warning signs. Excavated slopes must be graded to a gentle slope of 4 horizontal to 1 vertical before signs are removed. These measures shall be integrated into the annual grading permit.
13. The approved access points at 1721 Anka Street, 1791 Anka Street, and Ralph's Way shall be inspected each year to verify that no changes have been made to the embankment due to heavy creek flows during the previous year. Alterations to the proposed access will require approval by the Community Development Department and the CBJ Engineering Department.
14. Prior to the issuance of a grading permit, the applicant shall provide a vibration control plan that includes the maximum safe threshold for seismic activity at the nearest adjacent residential structure to the operation.
15. During extraction activity, the site shall be monitored by the applicant for seismic activity at the nearest adjacent residential property or at a location agreed upon by the project engineer and adjacent property owners, during each day of operation.
16. The applicant shall submit seismic activity reports at the end of each month of mining activity to the CBJ Engineering Department.
17. If seismic activity exceeds the threshold established in Condition 15, the applicant shall cease operations and notify the CBJ Engineering Department and CBJ Community Development Department. The applicant shall not continue with operations until alternative methods that do not exceed the threshold have been identified by the applicant and approved by CBJ Engineering.

Project Expiration and Dates and Times of Operation -

18. Gravel operations shall take place between December 1 and March 15. No in-water work shall be allowed between March 16 and November 30 with the following exception: In-stream work to connect the excavated sections of the creek shall be allowed for one 7 day period between May 15 and June 15. The applicant shall provide notice to CBJ Engineering and the Alaska Department of Fish and Game before work commences.
19. Operating hours shall be 7 a.m. to 6 p.m. on weekdays and 9 a.m. to 6 p.m. on Saturdays. Operations shall not be allowed on Sundays.
20. Active gravel extraction within the creek bed shall be limited to 20 days per year. This limitation specifically exempts activities within the creek necessary for set-up, take-down, pauses for weather-related days, and related activities.
21. The permit shall expire after 5 years or extraction of 210,000 cubic yards of gravel, whichever comes first.
22. The extraction amount shall not exceed 35,000 cubic yards per mining season.

Truck Traffic and Street Maintenance -

23. Truck traffic from the development shall be routed only through the Anka Street/Glacier Highway intersection.
24. Truck traffic and heavy equipment operation associated with gravel extraction is strictly prohibited from the Davis Avenue side of the river.
25. Prior to leaving the excavation area, the transport truck bed, with the tailgate locked, shall be raised to a minimum twenty degree angle for a time sufficient to obtain reasonable drainage and to prevent water and ice on the roadway. The applicant shall provide sanding along the truck route to address icy road conditions that may occur during the period of operation.
26. The applicant shall protect catch basins along the route from sediment infiltration by use of manufactured Catch Basin filters.
27. The applicant shall inspect the traveled route a minimum of twice daily for escaped material from the haul.
28. The applicant shall sweep and clean the roadway at the end of each day if any water or material has escaped or if a major spill occurs.

29. The applicant shall immediately respond to any additional clean-up requests during the operation from the project engineer, CBJ, or ADOT.
30. The applicant shall construct a rockery lane for debris removal from truck tires prior to entering Anka Street.

Habitat Protection -

31. No sediment migration from the truck or ramp shall be allowed in the waterway.
32. Prior to commencement of mining and prior to gravel bar coverage with snow and ice, the applicant shall field stake the exact excavation configuration and setbacks from flowing water.
33. The applicant shall place any large woody debris encountered during excavation activities at the surface of the floodplain, upstream, or adjacent to the excavation area to encourage gravel bar formation and/or side channel creation. The woody material shall be partially buried to anchor the material during high flows.
34. There shall be no on-site fueling or equipment maintenance performed within 100 feet of the creek banks. This includes fueling or maintenance of portable equipment such as generators and pumps.
35. There shall be no on-site storage of fuel or other chemicals.

Ms. Camery told the Commission the Comprehensive Plan designation for this area is Medium Density Residential and Light Industrial zoning. The Comprehensive Plan Rural Reserve land use noted on the front page of this report is incorrect, said Ms. Camery. Access to this property is off Anka Street.

The first Conditional Use Permit for this operation was in 2007, noted Ms. Camery. SECON has a second gravel extraction in upper Lemon Creek known as Hidden Valley, said Ms. Camery. The method of extraction involves extracting gravel from the same gravel bars each season, noted Ms. Camery.

The applicant is requesting a ten-year permit. The staff is recommending a five-year permit, said Ms. Camery. This is for a maximum of 35,000 cubic yards per year, she noted. The previous 40 days allowed for extraction from the streambed is recommended to be lowered to 20 days per year, said Ms. Camery. The applicant has accepted both conditions, she noted. Thirty-five different conditions are listed for this operation, said Ms. Camery. The staff reviewed all of these conditions with the CBJ Engineering Department, said Ms. Camery. Some changes to the conditions were made based upon that discussion, she said.

The operation has three different access points from Anka and Ralph's way, said Ms. Camery.

Traffic is specifically prohibited from the Davis access site, she said. Traffic is estimated at 250 round trip truck loads per day, she said. This is 500 average daily trips, she said. More than 250 average daily trips to 500 average daily trips require a traffic impact analysis, said Ms. Camery, if the CDD Director determines it is necessary. The Director has determined that the traffic impact analysis is not necessary, noted Ms. Camery. The traffic follows an established truck route that does not go through residential neighborhoods, she said. Conditions related to this issue are noted in Conditions 23- 30, she said.

The project generates a substantial amount of noise and vibration, said Ms. Camery, especially for the River's Edge Condominium owners. This is an established industrial area and there is no practical means to reduce the noise, she noted. The operation is restricted from December 1, to March 15, of each year, said Ms. Camery. The staff recommends continuing the previous hours of operation, she said, which are 7 a.m. – 6 p.m. on weekdays, and 9 a.m. – 6 p.m. on Saturdays, with no operation on Sundays.

The conditions have extensive requirements regarding the distance the operation must maintain from property lines, said Ms. Camery. Truck traffic is forbidden in residential areas, she said. There are road maintenance requirements to assure the trucks are not creating a safety hazard when gravel flies from a truck or from any drainage from the trucks, said Ms. Camery.

The 2004 Lemon Creek Assessment data points to mining as one of three measures to reduce flood risk, said Ms. Camery. After nine years of mining, the project is using same extraction areas, which fill in naturally, noted Ms. Camery. Flood risk would increase without the mining, she noted.

Habitat resource agencies support this method of gravel extraction, said Ms. Camery. It mines the same bars year-to-year and other areas are undisturbed, she noted. The condition is retained to keep wood debris in the stream to maintain salmon habitat, said Ms. Camery. The conditions remain that prohibit on-site fueling or on-site storage of fuels, she said. The development has an Alaska Department of Environmental Conservation Section 401 Certificate of Reasonable Assurance, said Ms. Camery, that addresses sedimentation, pollutants, and an operation window with the Alaska Department of Fish and Game recommendation, said Ms. Camery.

The property has residential areas on the Davis Avenue side, said Ms. Camery, with industrial zoning otherwise in the area. The CBJ has a gravel pit a quarter of a mile away, said Ms. Camery. Adjacent property owners have asserted property damage from this activity, said Ms. Camery. Several complaints came up at the 2012 review, which resulted in the seismic monitoring condition, said Ms. Camery.

Ms. Camery noted that on seismic monitoring conditions 14 to 17 are:

14. Prior to the issuance of a grading permit, the applicant shall provide a vibration control plan that includes the maximum safe threshold for seismic activity at the nearest adjacent residential structure to the operation.

15. During excavation, the site shall be monitored by the applicant for seismic activity at the nearest adjacent residential property or at a location agreed upon by the project engineer and adjacent property owners, during each day of operation.

16. The applicant shall submit seismic activity reports and mining activity to the CBJ engineering department.

17. If Seismic activity exceeds the threshold established in condition 14 (corrected), the applicant shall cease operation and notify the CBJ Engineering Department and CBJ community development department. The applicant shall not continue with operations until alternative methods that do not exceed the threshold have been identified by the applicant and approved by CBJ engineering.

The CBJ Assessor's Office noted the disruptive truck traffic, said Ms. Camery, but does not oppose the project due to flood and habitat benefits.

There have been three public comments to date with concerns about property damage, noise and habitat, said Ms. Camery. The extraction activity has to be ten feet from all property lines and banks, she noted.

Resource extraction and trucking is typically under the Heavy Industrial portion of the Comprehensive Plan, said Ms. Camery. With the numerous conditions, the staff feels that this operation falls within the intent of the plan, she said.

The Lemon Creek Area Plan wants resources protected, maintained and restored, and promotes responsible resource extraction, said Ms. Camery, which must address neighborhood harmony concerns. Ms. Camery noted there are extensive conditions to promote and protect these interests. The development will not substantially decrease or be out of harmony with neighboring property values, said Ms. Camery. The project is consistent with all major plans for the CBJ, she said.

Ms. Camery gave a brief review of some of the 35 conditions, listed at the beginning of the staff report.

Commission Comments and Questions

Mr. Alper clarified that the gravel extraction process collects gravel from the same location each year from gravel, which has washed downstream. He asked for an explanation of acres being compared to cubic feet of gravel. He asked if the upper CBJ gravel site is losing its gravel

to further down the stream to the applicant's location.

The CBJ gravel location is not located directly in the creek, said Ms. Camery. Hidden Valley is located quite a ways upstream, she said.

Mr. LeVine noted that the error made on page one is repeated in the finding. He said his interpretation of the report is that this activity is not appropriate for its uses, but with enough conditions imposed it can be made to work within the area. He asked if this is setting a precedent for allowing gravel extraction in Medium Residential neighborhoods as long as there are adequate conditions. He said he is not sure this is a precedent the Commission wants to establish. These types of issues have been before and they resulted in rezone, said Mr. LeVine. He said he wondered if this is not another situation in which a rezone would be called for.

Applicant

Mike Short, the Engineering Manager of SECON, told the Commission that if a major flood were to occur, that a large portion of the Lemon Creek area could be submerged.

Mr. Voelckers asked about the proposed increase in the gravel extraction operation with this permit request.

Mr. Short responded that the 35,000 cubic yard figure is a cap. It is not something that they would try to achieve, he added. They have not come close to that figure in previous years, he said. They walk the site with Fish and Game habitat biologists, and they decide which areas they are allowed to mine, he said. The gravel exposed during the winter does not have viable salmon eggs, he said, since those areas are exposed to the cold.

Mr. Hickok asked what type of development has taken place along the river banks in the ten years they have been extracting gravel.

Mr. Short said it has remained fairly consistent, with the exception of one new condominium development in the immediate area.

Mr. LeVine asked Mr. Short if he was comfortable with the conditions recommended by the staff.

Mr. Short said he is comfortable with the conditions. They have reviewed them thoroughly, and this is the third time the permit has come for renewal. He had been hoping for a ten-year period, he said. He said he has to report with an analysis of the site and other items on a yearly basis. He said it was his understanding that if they were not in compliance with their permit that it could be pulled.

Mr. Voelckers said he did not like the descriptive language on condition one which stated "near the project area". Mr. Short explained storing materials for emergency bank stabilizations "near the project area" would be allowed under the proposed conditions with a statement

from a licensed engineer.

Ms. Maclean said the condominiums at River's Edge were permitted in 2006, at about the same time the last permit request of SECON was up for review. She added she wanted to clarify that the Comprehensive Plan designation in which the stream resides does allow for this type of development with a Conditional Use Permit. The map designation in the Comprehensive Plan does have this area listed as Light Industrial and Medium Density Residential. It states that these are not to be firm or restrictive designations, said Ms. Maclean.

Mr. Hickok asked if the permit can be revoked if the seismic activity in the area is too disruptive.

The revocation of a permit is not that simple of a process, said Ms. Maclean. They want a five-year period instead of a ten-year period because a lot can happen within those time frames, she explained.

Public Comment

Area resident Sue Trivette told the Commission that she is a resident and on the board of the condominiums constructed in that area in 2008. She said additional apartments have been constructed in this area as well. So yes, she said, the area is growing.

Area resident John Scott told the Commission that he likes the idea of reducing the permit period to five years instead of ten years. Regardless of what the permit says, the maintenance and fueling truck comes into the area with the backup alarm blaring between 5 a.m. and 6 a.m., he stated. He said he would like any maintenance operations to start at 7 a.m. instead, with all associated operations concluded by 6 p.m. Mr. Scott said he was actually thrown from his bed one time, as a result of the mining activity. Over the years, this operation is going to take its toll on both sides of the stream, he said.

In answer to a question posed by Mr. Voelckers, Mr. Scott verified that the noises from the maintenance truck begin at 5 a.m. in the morning.

Mr. Voelckers asked what process transpired to knock Mr. Scott out of bed.

Mr. Scott said this occurs when the ground is frozen to a certain depth, so when the gravel is pulled out, that a big vibration occurs.

Mr. LeVine asked Mr. Short if it was his understanding that maintenance truck operations could begin before 7 a.m.

Mr. Short said it was his understanding that all operations would commence at 7 a.m. per the condition and not before.

Mr. Hickok asked where the seismic monitors are located.

Mr. Short said they have three which are placed within 10 feet of the buildings.

Mr. Voelckers asked if the operation has been within the limits.

Mr. Short said it has been as high as one particle per second and the limit is two particles per second. He added it usually comes to about .5 to .8 particles per second. Moving furniture in an office building is measured at .1 to .4, he added.

Mr. LeVine said the math seems to be incorrect in conditions 21 and 22. If gravel extraction is not to exceed 35,000 cubic yards per season, then the total over five years would be 175,000 cubic yards, not the 210,000 cubic yards specified in condition 22, he noted.

Ms. Camery said the intent is 35,000 cubic yards per season, so the 210,000 cubic yard figure is incorrect.

Mr. LeVine suggested that conditions 21 and 22 be combined to a top limit 35,000 cubic yards per year, and just eliminate the five-year total. It could just state that, "The permit should expire after five years of extraction."

Mr. LeVine said if the City is going to continue gravel extraction operations, that it should formulate regulations.

MOTION: *by Mr. LeVine, to accept staff's findings, analysis and recommendations, and approve USE2018 0024 with the minor change to condition number 21 to note a maximum of 175,000 cubic yards over 5 years (a maximum of 35,000 cubic yards per year) and correcting the error on page one amending the Comprehensive Plan land use designation from Rural Reserve and Industrial to Medium Density Residential/Light Industrial.*

The motion passed with no objection.

AME2019 0001: A text amendment to adopt the Parks & Recreation Master Plan as part of the CBJ Comprehensive Plan

Applicant: City & Borough of Juneau

Location: Borough-wide

Staff Recommendation

Staff recommends that the Planning Commission review and consider the draft *Parks & Recreation Master Plan* and recommend to the Assembly its adoption as an addendum to the Comprehensive Plan.

Ms. Eddins said that it is the duty of the Planning Commission to review and make recommendations to the Assembly on the Comprehensive Plan. If the Parks and Recreation Master Plan is approved, it will become part of the Comprehensive Plan, said Ms. Eddins.

The Parks and Recreation Master Plan provides a 20-year framework for Parks and Recreation facilities and their programs, said Ms. Eddins. It sets out guiding principles and goals, and it also includes an inventory evaluation of existing facilities with a needs assessment, a gap analysis, and an amendment to the parkland disposal process and also some capital improvement priorities, she said.

A few of the guiding principles are to promote community engagement, health and wellness, ensure financial sustainability, support the community partners, serve the needs of a diverse and changing population, and increase cultural awareness where possible, said Ms. Eddins. For example, she said, Lemon Creek has a population of almost 5,000 people. There is one mini park for every 2,374 people, and one neighborhood park per 4,948 people, she said. There is no community park and no field facilities in Lemon Creek, said Ms. Eddins.

Chapter four of this plan classifies the parklands, said Ms. Eddins. There are parks and special use areas, such as the rifle range, she said. There are also community parks such as Cope Park and Saviko Park, said Ms. Eddins. The plan includes an assessment of trails, pathways and beach access, she explained. Parks and Recreation manages over 80 miles of trails within the CBJ, noted Ms. Eddins.

This plan also provides an evaluation of facilities and programs that Parks and Recreation offers, said Ms. Eddins. Those include the Mount Jumbo Gym, the Treadwell Arena, and a substantial number of CBJ youth programs, said Ms. Eddins. Parks and Recreation also runs the Zach Gordon Youth Center drop in camps, she added, along with other youth programs.

A gap analysis and needs assessment are on page seven of this plan, said Ms. Eddins. It is germane to this area, she added. The plan notes that Juneau is probably in need of more off leash dog facilities, said Ms. Eddins. The plan notes there could be more community gardens, more early childhood and senior programming, more signage and a need for more off-road vehicle recreation areas, she said.

The plan recommends developing a minimum service level for all of the parks program recreation facilities, a maintenance impact statement for all future park development, and to develop a replacement schedule for all park equipment. Priority funding should be given to projects where a park master plan exists, said Ms. Eddins. It also specifies that the master plan should be updated every 5 to 10 years, she added.

The plan suggests that when parklands are to be disposed of that it would first be reviewed by the Parks and Recreation department and the Parks and Recreation advisory committee before going through the typical process which starts at the CBJ Lands and Resources division, said Ms. Eddins.

The plan recommends four areas designated as parkland that it would like to dispose of, said Ms. Eddins. It also sets out capital improvement projects identified with high, medium and low

priorities, said Ms. Eddins.

The public process began in 2016 with over 800 households participating in either an online or a random phone survey, said Ms. Eddins. Five public meetings were conducted with focus groups for specific topics, she said. An ad hoc committee was also formed which helped the staff review the plan, noted Ms. Eddins.

This plan is in accordance with all existing Juneau area plans, said Ms. Eddins. The CBJ Lands Management Plan does not recommend disposal of parkland, said Ms. Eddins. The Parks and Recreation master plan also recommends alternate ways for disposal of parkland, said Ms. Eddins. Currently all CBJ land sales go through the CBJ Lands committee, she said. This master plan recommends that parklands up for disposal go first through the Park and Recreation Advisory Committee, said Ms. Eddins, before it goes through the established process.

The Parks and Recreation Master Plan also recommends that the proceeds from the sale of parklands be placed directly into the coffers the Parks and Recreation department, said Ms. Eddins. Currently, those proceeds would be put back into the Municipal Land Fund, said Ms. Eddins. This proposal would require a change to Title 53, said Ms. Eddins.

The Land Management Plan is required to be updated every two years, noted Ms. Eddins. If this Parks and Recreation Master plan is adopted by the Assembly, then the Land Management Plan would need to be updated to be in compliance, she said.

Commission Comments and Questions

Mr. LeVine stated that this language states that the Parks and Recreation Master Plan should be adopted as an addendum to the Comprehensive Plan. He stated that he believes that typically it should be worded that it is adopted as an amendment. He asked if there is a specific reason the word “addendum” was used and not “amendment”.

Mr. Voelckers said he liked the term addendum in this instance since the plan has its own unique life and logic distinguished from the Comprehensive Plan.

Ms. Mores said the Commission should be consistent. She said she recalled that the word “amendment” has been used previously.

Ms. Eddins stated that Title 49 does use the term “amendments”. She said that is the term she should have used.

Mr. Voelckers said the plan states that more recreation areas and facilities in the Lemon Creek area are desirable. He said he does not see any other language in the document identifying a trajectory for further parklands in Lemon Creek. He said he does not see a mechanism in the plan on how an underserved area can build its community and recreation resources.

Mr. Campbell said the document is well put together and very well-planned. He liked the

mention of the need for an off-road vehicle park. He asked why Eaglecrest operates the Dimond Park Field House.

Ms. Pierce told the Commission that the Dimond Park Field House was constructed through the Juneau Community Foundation. At that time the Parks and Recreation Department was not in a place to take on the management of that facility, she said. Eaglecrest took over the operation of it, hoping there would be opportunities for cross-promotion opportunities, she said. In answer to a question by Mr. Campbell, she said there is a recommendation in the document that this facility go under the management of Parks and Recreation.

Mr. Voelckers asked if there is anything in the plan he has overlooked that discusses a process for increasing parks and recreation facilities in Lemon Creek.

Ms. Pierce said there is nothing definitive in the plan about Lemon Creek, but that it is a priority for the department that they are working on.

Mr. LeVine said he felt it would be beneficial that a discussion on Lemon Creek be held in the near future when the time is right.

Mr. Voelckers said he did not see much reference in the plan about bike trails and non-motorized pathways.

Ms. Pierce said this document largely leaves trails to the updated Trail Master Plan, which is underway.

Mr. Hickok asked if there were any plans to develop income-producing activities for the community such as a hockey tournament for teams from around the state to attend. He said this would contribute to Juneau 's economy with hotels, restaurants and other local amenities used by the individuals from out of town.

That is not something addressed in the plan, said Ms. Pierce. They do not touch on visiting teams and tournaments, she said.

Mr. LeVine said his family uses many of the opportunities offered by the Parks and Recreation department, and that he is a big supporter of the department and its mission.

MOTION: *by Mr. LeVine, to approve AME2019 0001 and accept staff's findings, analysis and recommendations, and recommend that the Assembly adopt the Parks and Recreation Master Plan as an amendment to the Comprehensive Plan*

The motion passed with no objection.

IX. REGULAR BOARD OF ADJUSTMENT - None

X. OTHER BUSINESS - None

XI. STAFF REPORTS

Ms. Maclean introduced the new planning manager, Alix Pierce, to the Planning Commission. She should begin her work in the Planning Department in early March, said Ms. Maclean.

Ms. Maclean said there is an Auke Bay meeting slated for March 13, 2019. She said the last meeting at UAS went much better than previous meetings. There were about ten steering committee members present, and 40 members of the public. Parking access will be the focus of the next meeting, she said.

The Title 49 Committee will be focusing on the Downtown Overlay District. When Mr. Dye and Ms. Boyce return, they will focus on the overlay district. It has an August deadline, said Ms. Maclean.

The staff has \$150,000 in the budget for this fiscal year for work on the Comprehensive Plan, said Ms. Maclean.

XII. COMMITTEE REPORTS

Mr. Hickok said there is a Wetlands Committee meeting on February 21, 2019.

XIII LIAISON REPORTS

Mr. Bryson reported that at its regular January 28, 2019 meeting that the Assembly approved the Archipelago project. On February 4, 2019, there will be a Public Works and Facilities presentation on the Valley Transit Center in the Mendenhall Mall area. On February 4, 2019, they met with individuals representing the Glory Hole, who are considering moving the Glory Hole and moving the sleep-off center out of Bartlett Hospital. During an Assembly COW they had a presentation on the 2020 census, said Mr. Bryson. There was also discussion about renaming the Willoughby District, he said, with a name of more meaningful historical reference. Brotherhood Trail repair will be underway soon. The community is out of dirt and cannot resurface the ball fields, said Mr. Bryson. He said the City is facing sticker shock over the estimated \$7 million a year it takes just to maintain sewer and water pipes. The Human Resources Committee disbanded the Affordable Housing Committee, he reported.

Mr. LeVine asked if the Assembly has discussed potential ramifications to Juneau with the Governor's proposed budget cuts.

They have not discussed it yet, said Mr. Bryson.

XI. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

XII. PLANNING COMMISSION COMMENTS AND QUESTIONS - None

XIII. EXECUTIVE SESSION - None

XIV. ADJOURNMENT

The meeting was adjourned at 9:29 p.m.