

MINUTES
Planning Commission
Regular Meeting
CITY AND BOROUGH OF JUNEAU
Ben Haight, Chairman
April 26, 2016

ROLL CALL

Paul Voelckers, 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 7:00 p.m.

Commissioners present: Paul Voelckers, Vice Chairman; Bill Peters, Michael LeVine, Percy Frisby, (telephonically) Nathaniel Dye, Matthew Bell, Carl Greene

Commissioners absent: Ben Haight

Staff present: Rob Steedle, CDD Director; Beth McKibben, Planning Manager; Laura Boyce, Senior Planner; Teri Camery, Senior Planner; Jill Maclean, Senior Planner; Eric Feldt, Planner II; Jonathan Lange, Planner II; Allison Eddins, Planner I; Tim Felstead, Planner II; Robert Palmer, Assistant Municipal Attorney II; Trinidad Contreras, Assistant Municipal Attorney

Assembly members: Loren Jones, Jerry Nankervis, Jesse Kiehl

- I. **APPROVAL OF MINUTES**- None
- III. **PUBLIC PARTICIPATION ON NON-AGENDA ITEMS** - None
- IV. **PLANNING COMMISSION LIAISON REPORT** - None
- V. **RECONSIDERATION OF THE FOLLOWING ITEMS** - None
- VI. **CONSENT AGENDA**

CSP2016 0005: A State Project Review for extension and replacement of the sidewalk on the uphill side of Douglas Highway from Lawson Creek Road to Gastineau Elementary School.

Applicant: State of Alaska

Location: Douglas Highway from Lawson Creek to I Street

Staff Recommendation

Staff recommends that the Planning Commission recommend approval to the Assembly that CSP2016 0005, a State Project Review for extension and replacement of the sidewalk on the uphill side of Douglas Highway from Lawson Creek Road to Gastineau Elementary School is consistent with Title 49, the 2001 CBJ Area Wide Transportation Plan, the 2009 Juneau Non-Motorized Transportation Plan, the 2012 Juneau Safe Routes to Schools Plan, and the 2013 Comprehensive Plan; with the following condition:

1. If any historic, prehistoric, or archeological sites, locations, or objects are discovered within intact soils in a subsurface context during development activity, all work in the area should cease, and the applicant, AKDOT&PF, should immediately notify the State Historic Preservation Officer at the Department of Natural Resources. Given the fill nature of the project area and prior grave removal outside the APE any human remains that are discovered "in situ", in their original place or position, with an associated feature context, all work should cease until work is authorized by the agency with jurisdiction. See Attachment D – Human Remains Discovery Guide for further guidelines.

USE2016 0008: Amendment of existing Conditional Use Permit for expansion of Fred Meyer Fuel Center.

Applicant: Barghausen Consulting Engineers, Inc.

Location: 8181 Glacier Highway

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 expansion of an existing gasoline dispensing facility by adding two multi-product fuel pumps (4 fueling positions) and extending the existing canopy.

The approval is subject to the following conditions:

1. Prior to issuance of a building permit a drainage plan should be submitted. Runoff from the fueling area directly under the canopy should be directed towards the existing Oil/Water Separator. Remediation of existing catch basins surrounding the fuel center should be undertaken with additional Spill Control devices used to treat surface water runoff from the area surrounding the fuel center as necessary.
2. The Spill Control devices should be regularly maintained with an inspection and maintenance log kept by the site operator. Inspections should be done monthly to ensure proper operation, and during and immediately after a large storm event of ≥ 2 inches per 24 hours (based on official National Weather Service figures for Juneau Airport). Oils should be removed when thickness exceeds 1 inch and sediment should

be removed when thickness exceeds 6 inches. Inlets and outlets should be kept free from debris and blockages. During maintenance inspections, all oily waste collected shall be removed and disposed of in accordance with applicable regulations. The basin should be structurally maintained to ensure continued operation.

3. The vegetation in the new planter should match existing vegetation elsewhere in the parking lot.
4. "Spill buckets" located on underground fuel tank fill pipes shall be cleaned at least once a month. All oily waste collected must be disposed of in accordance with applicable regulations. *(Repeated from USE2001-00048)*
5. The Oil/Water Separator units shall be regularly maintained with an inspection and maintenance log kept by the site operator. It should be cleaned at least once a month or if rainfall exceeds 1" in a 24 hour period (based on official National Weather Service figures for Juneau Airport). Inlets and outlets should be kept free from debris and blockages. During maintenance inspections, all oily waste collected shall be removed and disposed of in accordance with applicable regulations. The basin should be structurally maintained to ensure continued operation. *(Modified from USE2001-00048).*
6. Prior to issuance of a building permit a circulation plan, to be evaluated by Community Development staff, showing signage, striping and directional arrows should be submitted.
7. Prior to issuance of a Certificate of Occupancy (or Temporary Certificate of Occupancy) for the fuel station facility, directional signage must be placed in the parking lot as agreed to in the circulation plan. *(Modified from USE2001-00048)*
8. Prior to issuance of a Certificate of Occupancy (or Temporary Certificate of Occupancy) for the fuel station facility, striping and directional arrows at the main entrance on the east side of the lot shall be repainted in order to clarify traffic lanes. The striping at the entrance shall clearly separate vehicles turning left or right at the exit. *(Modified from USE2001-00048)*
9. Directional signage, striping and painted directional arrows shall be maintained in good condition for the fuel station's operational life at least yearly, or more often as needed. *(Modified from USE2001-00048)*
10. Prior to issuance of a building permit, the applicant shall submit a lighting plan, to be evaluated by Community Development Department staff. Where lighting used is different from that already present, a lighting specification should be provided in order

to demonstrate that lighting will be shielded and directed away from surrounding properties and rights-of-way. *(Modified from USE2001-00048)*

11. The owner of the fire hydrants on the applicant's property shall maintain the fire hydrants on the applicant's property. *(Repeated from USE2001-00048)*

USE2016 0009: A Conditional Use permit to allow the continued use of an asphalt and concrete batch plant in Lemon Creek.
Applicant: SECON, Inc.
Location: 5771 Concrete Way

Staff Recommendation

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit will allow the continuation of an asphalt and concrete manufacturing, rock crushing, selling of rock, and general rock storage on Lot 8A and Horecny Industrial Park.

The approval is subject to the following conditions:

1. The applicant will operate the asphalt plant in conformance with all provisions of Chapter 50 of Title 4, CBJ Administrative code.
2. All runoff from the site will be directed away from Lemon Creek and into an approved receiving water body.
3. Wash down water from the mixing trucks and the batch may need to be treated prior to disposal, and all discharges into a receiving water body must comply with state and federal regulations.
4. That a containment device complying with federal, state, and local standards shall be constructed and maintained around the oil storage area.
5. Advisory. The asphalt plant shall operate in accordance with all applicable federal, state and local environmental, health and safety standards including spill prevention, notification, and clean up.
6. Operations will comply with applicable standards as set forth by the Alaska Departments of Environmental Conservation and Fish & Game.

MOTION: *by Mr. Peters, to approve the Consent Agenda with any findings, analysis, and recommendations by staff.*

The motion passed with no objection

VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS - None

VIII. UNFINISHED BUSINESS

USE2016 0003: A Conditional Use Permit for an asphalt plant at the Alaska Marine Lines Yard.
Applicant: Knik Construction Co., LLC.
Location: 0 Jacobsen Drive

Staff Recommendation

Staff recommends that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of an asphalt plant and related stockpiling at the Alaska Marine Lines yard. The approval is subject to the following conditions:

- 1) Prior to issuance of a building permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed and located to minimize offsite glare.*
- 2) Prior to the issuance of a building permit, the applicant shall provide the final Stormwater Pollution Prevention Plan, in conformance with ADEC requirements, to ensure protection of adjacent waters.*

Ms. Camery explained this item is once again before the Commission primarily due to truck traffic concerns which the Commission felt still needed addressing. Since the last meeting the staff has received three public comments, said Ms. Camery, all expressing their concern over the truck traffic and its impact on South Franklin during already crowded conditions during the tourist season.

Since the last meeting the staff has also received revised traffic counts from the applicant, Knik Construction, said Ms. Camery. The staff received truck traffic estimates from the Department of Transportation (DOT) today, said Ms. Camery.

The applicant has refined their traffic counts to a reduced estimate of approximately 180 truck trips per day, said Ms. Camery. They also estimated a lower count on some projects of 108 trips per day, and of a larger project at 210 trips per day, she added.

DOT has provided counts of the number of articulated trucks and buses, based upon counts last year during the height of the summer season, said Ms. Camery. There were four large tourist ships in town that day, she said. The count was based upon traffic at Egan and Main Streets, she said. Total truck traffic that day was 195, with total bus traffic counted at 932 trips.

Applicant

Knik Construction representative Parry Rekers said they adjusted their truck traffic counts based upon a more realistic scenario. Their initial estimate had been based upon a worst case scenario, he added. Their current estimate is for 100 – 110 trucks a day, he said, over a 12 to 15 hour day. Their shifts actually work out to 10 to 12 hour days, he said. Mr. Rekers said if a day was heavily scheduled with cruise ships, that it would make sense to them to hold off for a less crowded day.

Commission Comments and Questions

Mr. Voelckers asked if the company had the type of flexibility to delay work on a project on heavy cruise ship days.

Mr. Rekers said they had some flexibility, especially if they could look ahead and plan for the anticipated busy traffic days.

Mr. Voelckers asked if asphalt in a truck needed to be off loaded within a set timeframe, or if it could sit in the truck if there were delays due to high traffic.

Mr. Rekers said it depended on the weather. Also, if they wanted asphalt to hold longer in a truck it would be extracted from the plant in a warmer state, he added.

Mr. LeVine asked how feasible it may be while the permit was still in effect for the company to acquire a larger asphalt plant enabling them to up their production of asphalt.

They had acquired a larger plant specifically for the Sitka Airport job, said Mr. Rekers. It was a big plant and they have subsequently sold it, he added.

Mr. Greene asked if the trucks worked continuously in a loop, disposing of the asphalt and then returning to the plant for more.

Mr. Rekers responded that their estimates were based upon round trips.

Mr. Greene asked if in addition there would be delivery trucks travelling to the plant with supply.

Mr. Rekers replied that they were primarily obtaining their supply through deliveries from Alaska Marine Yard, not via truck deliveries. The aggregate arrives on a barge, said Mr. Rekers.

Public Comment

Resident and Tour Operator Dennis Harris said that there is a need for asphalt to complete projects in Juneau. He told the Commission he felt this was the wrong plant in the wrong location. There are already enough problems with Alaska Marine Lines traffic making its way through the South Franklin tourist zone. He said there are already 407 north bound buses and 525 south bound busses proceeding through the area on a daily basis. There are 20,000 people coming into that area on a daily basis. He said asphalt trucks are smelly and dirty and that they drop asphalt on cars which is difficult to remove.

He said it was also a poor location from the operator's point of view because they have to continually stop for traffic as indicated by the traffic guards. It would more than double the existing truck traffic, said Mr. Harris.

Thane resident Paula Terrel said she just heard about this item over the weekend. The downtown business association did not know about this, she said. Tour operators and store owners were also not aware of this item, said Ms. Terrel. The truck traffic deeply impacts the downtown area and the tourist experience, she said. This is not a good place from which to generate truck traffic, she added. Ms. Terrel asked for more time to be taken on this item so that affected businesses and individuals would have more opportunity to comment.

South Franklin business owner Suzanne Cohen said their business would be impacted from the traffic proceeding by their business from the asphalt plant. She asked if other alternatives for the location of the plant could be located. Store owners work hard to make this a good experience for the visitors in the area, and loud, smelly trucks would detract from this experience, she said. She said she has looked at the schedule for the season and there are very few days with low tourist counts.

Annette Ulmer, with Tlingit and Haida Central Council, told the Commission that their concerns were based upon the high traffic which would be generated by the additional trucks in the area, and that they were concerned about the safety of the tourists and the Juneau residents in that area in the summer. There are already a significant amount of buses in the area transporting visitors from the downtown area into the community. The road near the Goldbelt tram is very narrow with numerous walking visitors, said Ms. Ulmer.

Marian Cummings, owner of M and M Tours, told the Commission that at a DOT meeting she just attended, that there had been discussion about losing one of the driving lanes near Willoughby Street which would further aggravate the traffic congestion. There are a lot of busses in the area, she said. She said she did not want to stop another business owner from progressing, but that she hoped another location for the plant could be identified, without the big impacts on the community.

Douglas resident Britt Waters said that she lives right across the channel from the barge lines, and that she was concerned about the hours of operation as they pertain to noise, which comes

right across the channel to Douglas. She said the current barge facility has large bright lights which also have a strong impact across the channel. She said she was also concerned about the environmental toxins generated when asphalt is made.

Resident Marciano Duran said he supported Knik as a business. He said the location of the plant and the traffic it would generate would create a bad situation in the already congested area. Mr. Marciano said they own property in Lemon Creek, which would be a better location for the plant. He said they have 27 acres which are adjacent to SECON, which may work for the company. He said as a community that another asphalt plant should be supported, and that a situation could be worked out where everyone benefited.

Applicant

Mr. Rekers said they would be interested in property located in the Lemon Creek area. He said they had asked the City if there was land available on the other side of town which could be used for their company, and were told there was not any land available. They have a temporary permit, which means they will have to move their operation in the future, said Mr. Rekers. They are not interested in fighting through the town traffic either, said Mr. Rekers. Transferring aggregate from a barge is not as noisy of an operation as offloading barges with freight, said Mr. Rekers. They would prefer to work at night, said Mr. Rekers, but were prevented from doing so due to the stipulated hours of operation.

Commission Comments and Questions

Mr. LeVine asked if there was a similar type of traffic analysis which could be performed on the roundabout portion of the street located near the library.

Ms. Camery responded that information does not currently exist, and that she is not sure what the process is regarding the accrual of additional information.

Mr. Peters said they have received several comments this evening regarding what those who commented felt was a lack of communication regarding this conditional use request. He asked about the public notice procedure for this permit.

Ms. Camery said they followed the standard procedure and notified those residing within 500 feet of the operation about the Conditional Use request. Notice of all Conditional Use Permit and Commission agenda items are also sent to all of the neighborhood associations, she said. The public notice sign is up at the location, and there have been several weeks that notices of the hearing have been posted in the newspaper as well, said Ms. Camery.

MOTION: *by Mr. Peters, that USE2016 0003 be approved with the staff analysis, findings and recommendations.*

Speaking in favor of the motion, Mr. Peters said that industrial land is very hard to come by in this community. He said he does acknowledge the concern of the individuals who gave public

testimony on the trouble of congestion in the high tourist area to which the additional trucks would contribute. This will continue to be a problem in the community, said Mr. Peters, until long term action could be taken such as putting in a deep water port on the other side of Douglas, and constructing a SECONd crossing between Juneau and Douglas.

Mr. Dye offered a friendly amendment accepted by Mr. Peters that the approval expire in two years, since the Knik operation was only two years in length.

Speaking against the motion, Mr. Voelckers said the Commission is just now obtaining a full grasp on the issue, which is the magnitude of the truck traffic and the fact that it must travel through the most congested stretch on South Franklin in the summer months. He said there may be options for the plant to be established in Lemon Creek, which would alleviate the additional congestion the trucks would cause traveling though South Franklin.

Mr. LeVine said he concurs with Mr. Peters, that industrial zoned land is minimal in Juneau, and that there is a need for the asphalt provided by the business. There does not seem to be a way the Commission could make a condition on the amount of truck traffic generated by Knik. There is not an effective way under the current Conditional Use Permit to mitigate the effect the additional truck traffic would have on South Franklin, he said.

Mr. Greene asked if there was some way to limit the operation of the business, such as no truck traffic during the peak tourist months of June, July and August.

Mr. Voelckers said he had not seen any material indicating that action would be under the purview of the Commission. The obvious issue is those are the months when the peak paving season is underway in the community, he said.

Mr. Bell said he supports the goals of the applicant, and that from their perspective it would make sense to place it at the AML (Alaska Marine Lines) dock. He said he also appreciated and recognized the public's concerns about the congested traffic in the South Franklin area.

Mr. Frisby said he did have a problem granting the Conditional Use permit and that he felt they needed to perform more a more in depth analysis on the situation, and that the people that would be most affected by this business were not even aware of it. He said it would be a good thing to identify alternatives for the applicant, should any be available.

Roll Call Vote:

Yeas: Dye, Peters, Bell

Nays: LeVine, Frisby, Greene, Voelckers

The motion failed.

Mr. Voelckers asked the Commission if this meant that they were giving the applicant an appropriate period to consider other options or if there would be another motion.

MOTION: *by Mr. LeVine, that USE 2016 0003 be denied, and that they must therefore change the staff's affirmative finding regarding the permit. He said he would change the staff's findings on Criterion 4 that as currently presented, that this application is not within the harmony of the existing uses of the neighborhood.*

Mr. LeVine said he took no joy in making the motion for denial of the permit. He could see that it was an ideal location for the applicant. His preference would have been to grant the permit with mitigating measures, but that as it is written, the business would supply a lot of increased truck traffic through town, which he felt was inconsistent with the way the downtown area is used. He said he would encourage the applicant to identify a new location from which to operate their batch plant.

Roll Call Vote:

Yeas: LeVine, Frisby, Greene, Voelckers

Nays: Bell, Dye, Peters

The motion failed.

Mr. LeVine asked for immediate reconsideration of the motion, because they are stuck. Otherwise, he pointed out, they have a motion to approve the CUP (Conditional Use Permit) that failed, and a motion to deny the CUP that failed.

MOTION: *by Mr. LeVine, to reconsider his previous motion so they could proceed with the rest of the meeting.*

Explaining his motion, Mr. LeVine said they had denied a motion to approve the conditional Use Permit, and they had denied a motion to deny a Conditional Use Permit. A "yes" vote to this motion would be a reconsideration of the previous motion to deny the permit, he explained.

The motion to reconsider passed with no objection.

Mr. Bell asked Mr. Voelckers for his thoughts on this topic.

Mr. Voelckers said he supported the motion, because the Commission is currently at a stand-still with this issue. He said he felt they needed more time and more people to progress in one direction or other.

IX. REGULAR AGENDA

USE2016 0004 is rescheduled to the May 10, 2016 Regular Planning Commission meeting.

~~USE2016 0004: A Conditional Use Permit to extract/mine gravel from
patent lands in Hidden Valley, Lemon Creek.
Applicant: SECON, Inc.
Location: End of Anka Drive~~

SMP2016 0001: Preliminary plat for 24 common wall lots; the remaining land will
be subdivided into two larger lots located at 7400 Glacier Highway
and zoned D-18.
Applicant: Richard Harris
Location: 7400 Glacier Highway

Staff Recommendation

Staff recommends that the Planning Commission adopt the Director's analysis and findings and approve the Preliminary Plat for Ridgeview Subdivision. This approval would allow the applicant to submit for the Final Plat Application. We further recommend that the approval be subject to the following conditions:

1. The applicant must submit a revised preliminary plat with all required revisions for approval prior to the submittal of a final plat.
2. A Traffic Impact Analysis will be required at the development of Lot 13 and/or Track B1A to ensure adequate road capacity and design to meet forecasted use resulting from the proposed subdivision.
3. Per CBJ 49.35.210(a)(2), and CBJ 49.15.401(c)(4)(E)(ii), and the 2013 Comprehensive Plan Policy 10.4 Design Guidelines 1 and 2, the applicant must provide for street connectivity from Track B1A and Lot 13 to adjacent undeveloped properties.
4. The preliminary plat and final plat shall include the note that states that "A through connection to Vista del Sol Drive is required for the development of Tract B1A".
5. Per the Director's findings, the ROW for Wildview Court may be reduced from 60 ft. in width to 50 ft. in width, providing the applicant construct a sidewalk on the southern side of Wildview Court from Seymour Way through the extent of Lot 3.
6. The conditions and findings in the memo from General Engineering dated March 29,

2016 and found in Attachment H must be met prior to a final plat being accepted.

7. Per the Wetlands Review Board recommendation, the applicant must adhere to the CBJ Stormwater Manual of Best Management Practices, and that the applicant must submit a Stormwater Management Plan for approval prior to the submittal of the final plat.
8. Per CBJ 49.15.411, the preliminary plat requires the following revisions, in addition to those listed above:
 - a. (f)(2)(J) Setbacks must be shown on each lot;
 - b. (f)(5)(D, E, F) Easements must include ownership;
 - c. (f)(5)(I) Site access, circulation, and utilities – as phasing is proposed, the preliminary plat must submit a sketch plat of the prospective street system of Lot 13 and Tract B1A; the applicant has submitted a plat to Army Corps of Engineers with lots sketched for Lot 13);
 - d. (i)(4) Drainage report and calculations (drainage/grading plan sheet provided does not meet requirements);
 - e. (i)(6) Erosion control report must be submitted for approval prior to submittal of the final plat;
 - f. Revise Tract A to Track B1A in the plat notes.

Ms. Maclean told the Commission this was a preliminary plat for a major subdivision located at 7400 Glacier Highway which is zoned D-18. It is approximately 19.71 acres. The Comprehensive Plan future land use designation for this land is medium density residential zoning, which calls for residential zoning for multi dwelling units ranging from 5 to 20 units per acre, she said. The land is on CBJ water and sewer. The access is off of Glacier Highway, said Ms. Maclean. The existing use is forest and wetlands, she said.

This is the first subdivision to come before the Commission with the new regulations, said Ms. Maclean. A major subdivision is for 14 lots or more, said Ms. Maclean. It requires a two-step Commission planning approval process. The first is for the preliminary plat as is before the Commission this evening, said Ms. Maclean. With approval at the first stage, the subdivision request would then move on to the final plat, said Ms. Maclean. This preliminary plat is also for a common wall subdivision, said Ms. Maclean. That would create 24 common lots, with the addition of Lot 13 and Tract B1A totaling 26 lots, she added. The Commission would only see lots 1 – 12, Lot 13 and Tract B1A on the final plat, said Ms. Maclean. Once the contractor starts constructing the common wall dwellings, they will be reviewed by the staff only, she said.

The lot is located next to the Vista Del Sol subdivision off of Glacier Highway, said Ms. Maclean. There is a mixture of zoning surrounding the land, from Rural Reserve to General Commercial zoning.

The applicant came to the CDD last year requesting a rezone of the land from D-5 to D-18 and Light Commercial. Since Light Commercial was inconsistent with the Comprehensive Plan land

use maps, only D-18 zoning was approved by the CDD staff, said Ms. Maclean. In April of 2015, the Planning Commission found that D-18 zoning was not in keeping with the harmony of the neighborhood, and recommended denial of the rezone to the Assembly.

In June, 2015, the Assembly approved the rezone from D-5 to D-18, said Ms. Maclean. Where the land meets Vista Del Sol property, said Ms. Maclean, the rules state the applicant must meet the greater requirements for setbacks, which in this case would be 20 feet, said Ms. Maclean. She noted this is just a setback, not a buffer, so that it could be clear cut by the applicant if desired.

The minimum lot width is 50 feet, with side setbacks at five feet, said Ms. Maclean. The maximum lot coverage is 50 percent, said Ms. Maclean. The applicant is not developing the property to its maximum units within the zone, coming in at more of a D-10 zoning than D-18 zoning, noted Ms. Maclean. The total parcel of 19.71 acres has a total build-out potential of 355 dwelling units, said Ms. Maclean.

There are three large drainage avenues which traverse the hillside from north to south, noted Ms. Maclean.

At this time General Engineering was unable to complete the initial review due to inadequate storm drainage sizing, said Ms. Maclean. They do believe the drainage can be constructed to CBJ standards, said Ms. Maclean.

The total amount of wetlands is 4.72 acres which is about one quarter of the site, said Ms. Maclean. There are also four small perennial streams which depart the site at the lower edge of the property at the Glacier Highway edge, she said. There are no known habitats that are protected by the land use code other than the wetlands, said Ms. Maclean. Access will be granted through two new rights-of-way which will be built to CBJ standards, said Ms. Maclean. Those roads would later be adopted by the CBJ, said Ms. Maclean. Seymour Way is the 60 foot right-of-way entering off of Glacier Highway, said Ms. Maclean. For this stage of development, the road is 65 feet in length with adequate frontage for both Tract B1A and Lot 13, she added.

The first proposed development for this parcel of Wildview Court with 24 common wall dwelling units falls under the condominium townhouse category for the determination of average daily trips, said Ms. Maclean. The weekday trips are about 140 average daily trips with Saturdays and Sundays having lower numbers. These numbers at this point do not require a traffic impact analysis, said Ms. Maclean. The right-of-way, street designs and improvements do meet the code, she said. The applicant is requesting that the sixty foot right-of-way be reduced to 50 feet, said Ms. Maclean.

The 50 right-of-way to Wildview Court does provide adequate room for utilities and easements, said Ms. Maclean. The driveways must be constructed to accommodate elevations of future sidewalks, which they do, she noted. If the right-of-way was reduced to 50 feet, the applicant states they will construct one sidewalk on the southern side of Wildview Court, said Ms. Maclean. There is sufficient room for snow storage, and additional right-of-way width is not necessary to access abutting lands. The Director approves the reduction from 60 to 50 feet, said

Ms. Maclean.

Seymour Way is the main entrance off of Glacier Highway, said Ms. Maclean. Without a plan for the development of Lot B1A and Lot 13, the staff finds that the build-out of these parcels at 18 units per acre is approximately 324 units, said Ms. Maclean. Depending on the development of these lots, a traffic impact analysis may or may not be required at the next phase, she said. Street lights will be required at Wildview Court and Glacier Highway, with sidewalks on both sides of the 60 foot wide street, she said.

The staff received comments from DOT in February that at this time a traffic impact analysis is not likely, but future development in the area may require it, said Ms. Maclean. The applicant has already begun the process for an approach road permit, she said. DOT would also need documentation that any construction activity would not negatively affect these culverts, said Ms. Maclean. The U.S. Fish and Wildlife Service stressed that the storm water manual on best practices be adhered to by the applicant, said Ms. Maclean. They also received two comments from the public which were not in support of the project, she said. One of those letters is signed by 16 Vista Del Sol Residents, she said. Both of those communications stressed the need for a natural buffer between the two properties, not just a 20 foot setback, said Ms. Maclean. They were also against a through connection to Vista Del Sol Drive, she added.

While several of the findings for this project were not met at this time, the staff felt that those findings could be met if revisions by the staff are completed, said Ms. Maclean.

Approval of this preliminary plat will allow the applicant to submit their final plat application, said Ms. Maclean.

Commission Comments and Questions

Mr. Voelckers asked what the Commission would be approving now and what would they approve later with the final plat. He asked if the issue of buffer instead of setback would be reviewed by the Commission during the final plat or if that should be decided upon at this juncture in the process.

Ms. Maclean said the preliminary approval involves approval of lots 1 – 12 which are common wall lots, and Lot 13 and Tract B1A. The Commission would be approving the plat for 26 lots, she said. If the Commission wished to establish a buffer between the proposed subdivision and Vista Del Sol, they could stipulate that during the preliminary plat process, she said.

Mr. Voelckers said there had been concerns expressed about drainage on the property, but that the maps did not show that level of specificity. He said he did not know if this was the time to go into that amount of detail.

Mr. LeVine said that this is a preliminary plat that as it exists does not satisfy the standards for a preliminary plat, and yet they were being asked to approve the preliminary plat assuming that the conditions suggested by the staff would be met. He asked if there was a reason why they were seeing this preliminary plat before it was a complete preliminary plat.

Ms. Maclean said as she mentioned at the beginning this is the first major subdivision to come

before the Commission under the new regulation. As they were working through the process with the applicant, these questions arose about what would be required at this time for the preliminary plat, and about what would be needed if the preliminary plat was approved. They would move forward with that information at the final plat level, she said.

Mr. LeVine asked if the staff was asking the Commission to decide if it needed to review the outstanding items, in order to make a decision on the preliminary plat.

They could leave those issues such as drainage up to the staff, or they could choose to first see that report, said Ms. Maclean.

Ms. McKibben clarified that the recommendation in the report is that it would not come back to the Commission for review prior to the final approval of the plat. She clarified that the Commission could choose to view this information if it desired.

Mr. LeVine said as he understood the recommendation from the staff, it was to approve a preliminary plat that does not comport with all the recommendations, but might once the Director approved the revised preliminary plat.

If the information in the conditions was approved then it would comply, said Ms. Maclean.

Mr. Voelckers said for a site of this gradient there was supposed to be a two foot topographic map. He said in their packet all they had was a grainy ten foot contour map. He asked if there was more information not yet viewed by the Commission which has more detail about the proposed development.

Ms. Maclean said the drawing that Mr. Voelckers viewed was from Mr. King, an engineer with the City, not the applicant's engineer. She said she believed the drawings were formulated by the Engineering Department to back up what Mr. King was stating in his written memo.

Applicant

Mr. Richard Harris showed the Commission a contour map of the parcel. He said at the preliminary plat phase that there were still items which needed to be worked out with the Engineering Department, but that he did not know if those items should be labeled as conditions of a preliminary plat. He said that was just his interpretation of the subdivision ordinance in Title 49. They are not unplatted, so do not need to meet the requirements for unplatted parcels, he said. They intend to meet all of the requirements for engineering, said Mr. Harris.

Commission Comments and Questions

Mr. Voelckers asked if Mr. Harris could offer insight on the lower boundary of lots 4, 5, and 6 which were located near the adjoining property, in light of the testimony they had received about buffers and drainage.

They were required to basically design the entire drainage for the subdivision, as well as street design, said Mr. Harris. The drainage will work and does work and an engineer is signing off that it is adequate, said Mr. Harris. He said he felt they were muddying up a preliminary plat

approval by adding all of the engineering issues to the initial preliminary plat approval. They fully intend to meet any requirements specified by the Engineering Department, said Mr. Harris.

Public Comment

Co-developer of the adjacent subdivision, Vista Del Sol, Josette Duran, read a letter signed by the subdivision residents which stated they did not feel the proposed development allowed an acceptable amount of privacy for their neighborhood. The recent rezone of the proposed subdivision from D-5 to D-18 against Planning Commission recommendations is out of harmony with property on both sides of the parcel, she read. There should be conditions to shield the neighbors from the impacts of the development, she read, which she said was verbiage taken from the Comprehensive Plan.

The 20 foot easement between the neighborhoods, since there is no provision for any vegetation to remain within the easement, is inadequate to provide the required privacy, she said. The proposed parcel has sufficient acreage for a more effective natural vegetative buffer, said Ms. Duran. She said a similar rezone down the road required a 200 foot natural buffer with the density reduced to D-6 directly adjacent to the D-5 neighborhood. They would like an adequate buffer provided for all of the adjacent properties, she said, that preserves the natural vegetation.

Ms. Duran said when Vista Del Sol was developed, that the preliminary plat required that there be no disturbance along the drainage line between the two properties. They are also opposed to the staff recommendation which she said is being removed, to the requirement of road connectivity between the proposed subdivision and Vista Del Sol. The code calls for adjacent roads to be provided to adjacent undeveloped parcels, and Vista Del Sol is a developed parcel, she said.

Marciano Duran, co-developer of the adjacent subdivision, said he felt there were more questions than answers on the preliminary plat. He said he did not see how the Commission could approve what was before it without all of the items which were still not meeting conditions unresolved. The hillside development is not the proper use for the parcel, he said. The typography of the land needed to be given closer scrutiny, he said.

The proper drainage for the subdivision needed to be addressed, said Mr. Duran. He said he saw no requirements for an on-site sediment pond, as was required of his subdivision. There should be a no disturbance area along the property line, said Mr. Duran. It will be necessary to have an Army Corps of Engineers permit to build on the wetlands, he said. There is no mitigation proposed for the wetlands, he said. He noted in the applicant's application to the Corps that a line was drawn pointing to the Vista Del Sol sediment pond. Mr. Duran said there is enough land that a good proposal could be developed.

Commission Comments and Questions

Mr. Voelckers asked Mr. Duran to clarify what he mentioned about the no disturbance line required for his property. He asked how wide it was, and the circumstance under which it was

imposed. The Commission at the time felt that a no disturbance from the creek on the property line should be required. This is the creek which runs between the property lines, said Mr. Duran.

Applicant

Mr. Harris said this is not a hillside development. They are working at a 6.5 percent grade. He said they are fully aware that the top of the hill is steep, and as they develop further they will have to deal with it, he said. The Assembly did not impose any buffers, said Mr. Harris, at the time the zone change was before them.

The Engineering Department approves the development, said Mr. Harris, as long as they meet the Engineering Department requirements, which they fully intend to do. They already have an Army Corps of Engineers approval, said Mr. Harris.

Mr. Voelckers asked if any on site mitigation was required by the Corps.

Mr. Harris said that no mitigating measures were required. This housing meets a community need, said Mr. Harris. Even the Corps recognized this, he said. Mr. Harris said it really says something about the process that he would already have received an Army Corps of Engineers permit and was just now making it before the Commission. Their subdivision is being built way below what it could be and he did not see why this should be a problem with the developers of the Vista Del Sol subdivision.

Mr. Voelckers asked if Mr. Harris could relate what would happen within the 20 foot setback between the subdivisions.

Mr. Harris said he did not know what would be within the easement; that the engineers were still figuring it out.

Mr. Greene said there seemed to be a lot of contradiction within the memo from the City Engineer. He asked if it would be appropriate to go back to that engineer for clarification on the unresolved points.

Commission Comments and Questions

Mr. Voelckers asked if Ms. Maclean felt all the matters within the Engineer's report were resolved.

Ms. Maclean said she does know that Mr. King has concerns, and that she did know that he has also stated that this development could work as proposed as long as the drainage, storm water and the calculations meet the code. She said she knew Mr. King had some ideas on how to go about that.

Mr. King's memo mentioned something about how in no case could the City accept the responsibility for the varied culvert features, said Mr. Voelckers. He said he did not think that would be the City's responsibility in any case.

Ms. Maclean said Seymour Way and Wildview Court are proposed to be adopted by the CBJ once they are constructed to CBJ standards. He did refer to a particular drainage ditch and

state that it would need to remain under the ownership of the developer, said Ms. Maclean.

MOTION: *by Mr. Peters, to approve SMP2016 0001, the preliminary plat for Ridgeview Subdivision, with the findings, recommendations and analysis as outlined by staff.*

Speaking in favor of his motion, Mr. Peters said this is a preliminary plat at the initial stages, and that the applicant and the staff have clearly outlined what the next stage of the process will be. Housing is needed in this community, said Mr. Peters.

Mr. LeVine offered a friendly amendment to the motion altering Condition 1 to replace “by staff” with “by the Planning Commission”.

Mr. Peters asked Mr. LeVine if he really felt this was necessary.

In support of his proffered amendment, Mr. LeVine said that his concern is that he is not sure if the question of the nature of the buffer and the drainage is something that the Commission can resolve at this point. He said he was also uncomfortable with a previous conversation with staff about what it means to have an approval of a preliminary plat that does not satisfy the requirements for a preliminary plat. He added he was concerned about creating some sort of precedent where the approval from the Commission of a preliminary plat subject to conditions that have not yet been met would be meaningless. He said for him this is much more a procedural rather than a substantive concern.

Mr. Peters did not accept the friendly amendment offered by Mr. LeVine. He said at this preliminary stage he felt the staff and applicant should work out the necessary conditions.

Mr. LeVine then offered his amendment to the Commission so they could vote on it; that Condition 1 be altered to replace “by staff” with “by the Planning Commission”.

Roll Call Vote on the amendment:

Yeas: Greene, Bell, LeVine, Voelckers

Nays: Dye, Frisby, Peters

The motion failed.

Roll Call Vote on the main motion: *(to approve SMP2016 0001, the preliminary plat for Ridgeview Subdivision, with the findings, recommendations and analysis as outlined by staff).*

Ayes: Bell, Dye, Frisby, Peters, Greene,

Nays: LeVine, Voelckers

The motion passed.

X. BOARD OF ADJUSTMENT

The Commission reconvened as the Board of Adjustment.

VAR2016 0002; 0005: Variance requests to reduce the rear yard setback from 15 feet to 0.81 feet and the side yard setback from 5 feet to 0.81 feet.

Applicant: Joseph and Brenda Donohue
Location: 2515 Sunset Drive

Staff Recommendation

Staff recommends that the Board of Adjustment adopts the Director's analysis and findings and **DENY** the requested Variance, VAR2016 0002 for the reduction of the rear yard setback.

Staff Recommendation

Staff recommends that the Board of Adjustment adopts the Director's analysis and findings and **DENY** the requested Variance, VAR2016 0005, for the reduction of the side yard setback.

Mr. Dye said that while he had no conflict, he did want the Commission to know that he lived next to this property, but that he does not own it, and does not have any connections with this agenda item.

Ms. Eddins told the Commission these are two setback requests combined because they are for the same property. The lot is zoned D-15 for multi residential zoning. The home was built in 2005 and the common wall subdivision of the property took place in 2006, said Ms. Eddins. The owners bought the property in 2012 and have inherited these setback encroachment issues, she explained.

The City Building Inspector examined the home and upon measuring it, established that the small retaining wall on the property did not violate setback requirements, said Ms. Eddins. The Building Inspector determined that the sheds did need building permits. Ms. Eddins said this is because the sheds at one time shared one roof. Since they were under one roof, their overall square footage was over 120 square feet, said Ms. Eddins. That square footage requires a building permit, she said. The larger shed had electricity, and any structure, regardless of its size, requires a building permit if it is wired for electricity, said Ms. Eddins.

Since the deck is less than 30 inches above grade, no building permit is required, said Ms. Eddins.

After work by the applicants, the Building Inspector returned to the site. The shared roof of the two sheds had been removed, as was the electricity from the shed which had it, eliminating the need for a building permit, said Ms. Eddins. The remaining issues to be resolved are the setback encroachment issues at the rear of the property and on the side, said Ms. Eddins. The code allows for the encroachment of unheated structures to encroach into setbacks, said Ms. Eddins. Therefore the smaller shed can encroach into the rear yard setback, said Ms. Eddins. It can be no closer than three feet from the property line, she added. The larger shed is

encroaching both into the rear yard and side yard setbacks, said Ms. Eddins. It needs to be moved three feet from those side and rear yard setbacks, said Ms. Eddins.

The deck needs to be five feet from each of the side setbacks, said Ms. Eddins. The roof eaves need to be at least two feet from the side or rear lot lines, said Ms. Eddins, and it appears that they are encroaching.

Commission Comments and Questions

Mr. Voelckers stated that in this unique instance where properties shared a lot line, that setbacks would not be required along the shared lot line.

Ms. Eddins acknowledged that Mr. Voelckers was correct. A setback is not required on the shared lot line.

The staff finds that Criterion 1 has been met, said Ms. Eddins. While granting a variance would provide substantial relief to the property owner, the majority of the accessory structures do not meet the setback requirements, said Ms. Eddins.

Criterion 2 is not met because the requirement of setbacks is a primary way to make sure there is adequate space, light and air, said Ms. Eddins. Criteria 3 and 4 have been met, she said. Criterion 5 has not been met, she said. Criterion 6 has also not been met, said Ms. Eddins. The staff finds there are no unique physical features about the property that would make compliance difficult, she said. Criterion 6 is not applicable, since the existing structures were built within the setback illegally and there is no nonconforming situation, she said.

There is nothing that indicates that allowing the sheds to remain where they are would result in any benefits to the neighborhood should the variances be granted, she said. Therefore, the staff recommends denial of both variance requests, said Ms. Eddins. Should the Commission want to grant the variances, the staff recommends two conditions: that the roof eaves of the two sheds are brought into compliance with Title 49, and that a new asbuilt showing the location of the eaves be provided to CDD within 18 months of the variance being approved, said Ms. Eddins.

Mr. Voelckers said that according to the individuals who initially brought the variance issue to light that drainage was listed as the primary problem.

Fill was never brought in to the lot in question, said Ms. Eddins, while it was brought in for the neighboring properties, which has resulted in drainage issues for that property. The Engineering Department does not think the existence of the shed and the deck have any impact on the neighbor's drainage, said Ms. Eddins.

Mr. Voelckers asked if there was a graphic available to illustrate the problem the neighbors were experiencing with their drainage. Mr. Voelckers said he could not understand the specific

change to the drainage the neighbors had recommended. The applicants have met all of the stormwater runoff requirements, said Ms. Eddins.

Mr. Dye noted that there are other connecting decks within the neighborhood.

Ms. McKibben noted that the setbacks in the staff report were for a standard D-5 lot, not a common wall lot. There is a zero setback on the common line, said Ms. McKibben, and a ten foot side yard setback on the opposite side yard. Viewing the asbuilt, it is evident that one of the sheds can rest upon the shared sideline, she said. The shed that is not located along the shared line must have a ten foot setback, she explained. The findings would not change as a result of this revised analysis, she said. The staff recommendation would still be for denial of the variance, she stated.

The deck, as it rests along the common lot line, would not need to be removed, verified Ms. McKibben in answer to a question from Mr. Dye. The portion of the deck residing on the opposite side of the property would need to be 10 feet from the lot line, stated Ms. Eddins.

Ms. McKibben added that in order for the sheds to meet the rear setback requirement, a portion of the deck abutting the sheds would need to be removed.

Applicant

Applicant Brenda Donohue said the deck was constructed after they bought the property and that the builder must have made a mistake when checking the setback requirements. She said she understood they would need to make some adjustments with the shed that is not in compliance.

Commission Comments and Questions

Mr. Voelckers asked if the applicant could offer insight into the drainage situation.

Ms. Donohue said each winter the retaining wall constructed of concrete blocks began to crumble. With the concurrence of the neighbor they built a retaining wall along the common lot line. The contractor who did the job left the neighbor's yard in bad shape when the job was complete as a result of using it for access to the job site. They subsequently settled out of court, said Ms. Donohue. This same contractor distributed a lot of dirt that would not drain, exacerbating the neighbor's drainage problem, said Ms. Donohue.

Mr. Greene asked that the staff reiterate the issues before the Commission.

Ms. Eddins verified that the sideline for the deck on the side yard opposite the common wall is ten feet.

Mr. Greene said he felt allowing the variance would be setting a precedent for future requests of a similar nature.

Acknowledging that this could be so to some extent, Mr. Voelckers said it would not be legally binding upon the next circumstance. He said it certainly was a consideration.

Mr. Peters clarified that if the necessary actions were taken by the applicant regarding the movement of the sheds and the narrowing of the deck then a variance would not be required.

Ms. Eddins said under those circumstances a variance would not be required.

Mr. LeVine said he thought the right hand shed would still be out of compliance with the rear yard setback.

Ms. Eddins concurred.

MOTION: *by Mr. Peters, to approve VAR2016 0002 and VAR2016 0005 if the applicants were amendable to removing the deck ten feet from the non-shared side yard and relocated the 10 by 12 foot shed, that the Commission approve a variance for the back yard setback and for the other shed to remain as long as the drainage is not affecting the other property owner.*

Mr. LeVine asked if the two variances were for the different sheds or if they were for different setbacks. He asked which of the variances was for the rear yard setback.

Ms. Eddins said it was VAR2016 0002.

Mr. LeVine clarified that the motion of Mr. Peters was to grant VAR2016 0002 and deny VAR2016 0005.

Mr. LeVine asked how they should amend the findings in the staff report. He said he has a lot of sympathy for someone who has inherited this problem and that he would like to reach an agreeable compromise.

Mr. Peters said he thought that Criterion 1 could be met if the applicants were willing to relocate the 10 by 12 shed, and that he would be amenable to having a three foot yard setback variance be approved.

Ms. Eddins said by approving a rear yard setback the Commission would be approving a setback that would be reduced to 0.81 feet. Therefore it would not need to be moved up three feet, she said.

Mr. Peters said that was the intent of his motion.

Mr. LeVine asked what the requirement was regarding roof eaves.

For every foot of setback, a roof eave can project into the setback four inches, said Ms. Eddins, but it cannot be closer than two feet.

The condition could read "There shall be no roof eaves", said Mr. LeVine.

Ms. Eddins concurred.

Mr. Voelckers said the eave from the rear shed should not be an issue since it does not hang over the side lot line.

Ms. Eddins said this is correct.

Mr. Voelckers offered some additional language for the motion of Mr. Peters on the floor. He said the first criterion was satisfied because relaxation would provide considerable relief to the property owner, and should not create any dissonance in the neighborhood.

Criterion 2 was met because aside from some possible work on the drainage issue, there were no substantive issues of public safety and that they were addressing an anomalous condition that was inherited by an owner who purchased the property in good faith, said Mr. Voelckers. Mr. Voelckers said that he felt that item (C) within Criterion 5 would be met as if not granted it would be, "...unnecessarily burdensome because the unique physical features of the property would render compliance with the standards unreasonably expensive". Staff notes that given the history of the property the applicant has inherited a condition they are trying to remedy.

Criterion 6 stipulates that a granting of the variance would result in more benefits than detriments to the neighborhood. Mr. Voelckers said that could be answered with a "yes". The benefit would be harmony, and a reasonable compromise, he said.

Mr. Peters accepted the criteria adjustments of Mr. Voelckers for his motion on the floor.

Ms. McKibben clarified this is for VAR2016 0002 for the rear yard setback.

FINAL MOTION: *by Mr. Peters, with revised findings by Mr. Voelckers, that VAR2016 0002 be approved, and VAR2016 0005 be denied, and that the motion reflects the revised findings as outlined by Mr. Voelckers.*

Roll Call Vote:

Yeas: Frisby, Bell, Dye, Peters, Greene, Voelckers

Nays: LeVine

The motion passed.

VAR2016 0003:	Variance request to reduce the lot depth requirement from 85 feet to 68.75 feet to allow a two lot subdivision.
Applicant:	Rand E. Thatcher
Location:	8479 Mendenhall Loop Road

Staff Recommendation

Staff recommends that the Board of Adjustment adopt the Director's analysis and findings, and **DENY** the requested Variance, VAR2016 0003.

The parcel is within a D-5 zone, said Ms. Eddins. The lot is located on a little over one half acre, she said, and is currently zoned as a single family home. The home is located near Mendenhall River School, said Ms. Eddins. The staff finds that sub Criterion 5A is not met, said Ms. Eddins, which would "unreasonably prevent the owner from using the property for a permissible principle use". Sub Criterion 5B was met, as the proposed lot and the requested variance does meet the minimum lot size requirements in Title 49 as well as the road frontage requirements, said Ms. Eddins. The staff finds that sub Criteria 5(C) has not been met, said Ms. Eddins. There are not unique physical features of the lot, she added. Sub Criterion 5(D) has been met, as analyzed by the staff, said Ms. Eddins. The maximum density in the area allows two dwelling units on a lot this size, said Ms. Eddins. They do not foresee much impact on the surrounding neighborhood, she said. Criterion 6 is met, said Ms. Eddins, due to the favorable location of the lot near a school, bus lines and sidewalks.

Due to not meeting Criterion one, specifically, the staff found that this variance request does not meet all the criteria for a variance, said Ms. Eddins. They recommend denial of the variance, she said.

Applicant

Applicant Kathy Thatcher said they are requesting the lot depth be reduced so they can subdivide their land into two separate lots. Ms. Thatcher said she did not agree with not meeting Criterion 1. She said she felt the analysis was weak on that item and that it is very subjective. Other property owners in the area had been granted variances, said Ms. Thatcher, not putting their request out of line with other property in the area.

Granting a variance for this property would be providing additional housing and relief to the community, said Ms. Thatcher. The property had already been granted a lot variance in 1976, said Ms. Thatcher.

MOTION: *by Mr. LeVine, to approve VAR2016 0003 and accept staff's findings with the exceptions of deleting the last line of the staff report under finding number 1 and change it to read "Yes, this criterion had been met", and that the variance not stipulate the lot depth requirement but state that it be "reduced from 85 feet to allow this subdivision".*

In support of his motion Mr. LeVine said the one other exception he has with the variance is that he would like the variance not to be to reduce the lot depth requirement from 85 feet to 68.75 feet but simply to allow the variance to reduce the lot depth requirement from 85 feet to allow this subdivision.

Speaking in favor of his motion, Mr. LeVine said that the staff has done an excellent job on its report, but that given the fact that there are similar subdivisions that do not meet the depth requirement in the vicinity, and that the applicant had purchased a lot that already had this

depth reduced, coupled with the fact that the subdivision will actually result in a new lot that meets the requirements, makes him in favor of changing that first criterion to a “yes”.

The motion was unanimously approved.

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

XI. OTHER BUSINESS - None

XII. DIRECTOR’S REPORT

New City Assistant Attorney

Mr. Palmer introduced new Assistant City Attorney Trinidad Contreras.

Landscape Alaska Appeal, Haven House Appeal, Yankee Appeal

Mr. Palmer added that about two weeks ago the final brief was submitted to the Alaska Supreme Court regarding the Landscape Alaska appeal. Oral argument has now transpired on the Haven House appeal at Superior Court. The judge has roughly five months to decide that case, said Mr. Palmer. The Yankee appeal regarding a fence on land off the Back Loop Road has now gone to the Alaska Supreme court, said Mr. Palmer.

Subdivision Review Committee Meetings

Mr. Steedle said Ms. Boyce requested Subdivision Review Committee meetings in May, as she has several subdivisions waiting.

The Commission members on that committee are Mr. Voelckers, Mr. Peters and Mr. Dye, with Mr. LeVine as an alternate, said Mr. Steedle.

XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES - None

XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS - None

XV. ADJOURNMENT

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