

MINUTES
Planning Commission Regular Meeting
CITY AND BOROUGH OF JUNEAU
Mike Satre, Chairman

November 10, 2015

I. ROLL CALL

Mike Satre, Chairman, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in the Assembly Chambers of the Municipal Building, to order at 7:04 p.m.

Commissioners present: Mike Satre, Chairman; Dennis Watson, (telephonically) Vice Chairman; Bill Peters, Ben Haight, Matthew Bell, Paul Voelckers, Dan Miller

Commissioners absent: Michael LeVine,
Nicole Grewe (was inadvertently prevented from connecting telephonically)

Staff present: Beth McKibben, Planning Manager; Jill Maclean, Senior Planner; Jonathan Lange, Planner II; Greg Chaney, Lands and Resources Manager; Michele Elfers, Architectural Assistant II

II. APPROVAL OF MINUTES

- October 13, 2015 – Regular Planning Commission Meeting

MOTION: *by Mr. Miller, that the minutes from the October 13, 2015 Regular Planning Commission meeting be approved with any minor corrections made by staff or Commission members.*

The motion was approved with no objection.

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

IV. PLANNING COMMISSION LIAISON REPORT

Marijuana Business Zoning Ordinance

Assembly Liaison to the Planning Commission Loren Jones reported that at its regular meeting on November 9, (2015), the Assembly passed the zoning ordinance related to marijuana businesses. Mr. Jones said there were a couple of amendments to that ordinance.

Demolition of the Gastineau Apartments

The Assembly agreed to give the notice to proceed for the demolition of the Gastineau Apartments to the contractor, said Mr. Jones.

Planning Commission Applications

The applications for membership on the Planning Commission are due December 5, (2015), said Mr. Jones. The Assembly will meet December 15, (2015) as a Committee of the Whole to interview the applicants, he added.

Assembly Retreat

The Assembly will participate in a retreat at 1:00 p.m. on December 14, (2015), to set its policies for the forthcoming year, said Mr. Jones.

Centennial Hall Repair Public Meeting

Mr. Jones reported that on December 2, (2015), at Centennial Hall there is a public meeting from 5:00 p.m. to 6:30 p.m. to discuss what will be done with the courtyard in terms of renovations after the courtyard is torn up as a result of staging for the roof repair. How to deal with existing damage to the floor will also be discussed, said Mr. Jones.

Commission Comments and Questions

Mr. Voelckers asked if the potential expansion of the art center has been discussed in relation to the Centennial Hall plaza repairs.

Mr. Jones responded that at the Assembly level there has been no discussion specifically on this topic. He added that the five year commitment the Assembly made is coming up shortly; if the performing arts center comes up with the funds the Assembly would discuss the land issue.

Mr. Watson asked Mr. Jones if he could provide further information on the amendments inserted by the Assembly into the marijuana business zoning ordinance.

One amendment passed by the Assembly allowed for marijuana cultivation in D-1 zones only if the applicant was licensed by the State as a small cultivator, which is under 500 square feet, responded Mr. Jones. He added that the other amendment which passed stipulated that if there is cultivation in a Rural Reserve (RR) zone, and there was a certified neighborhood association in that area, then no cultivation would be allowed within 1,000 feet of the boundaries of that neighborhood association. He added that this was a similar amendment to the neighborhood association amendment to the cell tower ordinance. In addition, Mr. Jones said he believed that marijuana retail was added back to Waterfront Industrial zones.

V. RECONSIDERATION OF THE FOLLOWING ITEMS - None

VI. CONSENT AGENDA

CSP2016 0016: Replacement of utilities, sidewalk, curb and gutter, asphalt, water line and services, and pedestrian-scale lighting on Whittier Street between Egan Drive and Willoughby Avenue.
Applicant: City and Borough of Juneau
Location: Whittier Street

Staff Recommendation

Staff recommends that the Planning Commission adopt the above analysis and findings, and recommend to the Assembly authorization of the reconstruction of Whittier Street between Egan Drive and Willoughby Avenue, with the following amendments:

1. Addition of a 5' wide bike lane;
2. Installation of pedestrian-scale lighting having a maximum height of 15' and located on both sides of Whittier Street;
3. Pedestrian-scale lighting will be a "full cut-off" design;
4. Pedestrian-scale lighting will be LED or other highly efficient light;
5. Pedestrian-scale lighting posts will accommodate banners.

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

The motion passed with no objection.

VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS - None

VIII. UNFINISHED BUSINESS - None

IX. OTHER BUSINESS *The other item originally scheduled under "Other Business" will be addressed under "Director's Report"*

- Franklin and Front Street Final Report

Ms. Elfers reported that this is a street reconstruction project for the downtown core area. Earlier this year a community group approached the Assembly and asked for an appropriation of funds to explore a conceptual design for the area for street reconstruction. The focus has been public outreach, said Ms. Elfers. They conducted two public meetings from which a final report was generated, she added.

The streetscape in the downtown project area is 30 years old, said Ms. Elfers. This includes the water, sewer, and storm drainage, she said. There are a lot of ADA (Americans with Disabilities Act) accessibility problems, including tripping hazards, she said. The lighting poles have very large bases which take up a lot of sidewalk space, and they are very maintenance intensive, and she added. They are also very expensive to maintain, she said.

The general project area spans from the Red Dog Saloon up Franklin Street to Second Street, and from Front Street and lower Seward Street to Marine Way, said Ms. Elfers. It also encompasses the extension of Front Street out to Main Street, she said, as well as subsidiary streets within that area. This is what they call the downtown core district, which also correlates closely with the historic district, she said.

The first public meeting was held in April, with the goal of obtaining general feedback from the public regarding their aspirations and concerns about the area, said Ms. Elfers. One of the main points expressed by the public was about lighting, said Ms. Elfers. The public wants better lighting for the town area so that they could feel safer, she said. The aspect of lighting also pertains to making the area feel more vibrant and colorful, said Ms. Elfers.

Regular transportation available for the area and the installation of art were also common themes expressed by the public, she said.

A second public meeting was conducted in June, at which draft recommendations were presented which became the foundation of the final report before the Commission. At the June meeting utilities, lighting and curbs were discussed, said Ms. Elfers.

The staff is currently conducting research on the utility infrastructure for water and sewer, and analyzing which sections of the infrastructure would need to be replaced so that a cost estimate for the project could be formulated, she said.

Canopies

Canopies and the influence they have on the public right-of-way is a subject which needs to be addressed, said Ms. Elfers. The interesting aspect about canopies, she said, is that they are private property, not public property, and yet they hang over the right-of-way which is public property. The City code requires gutters on the canopies, but this aspect of the code is often not followed, she said. A result of this is that water drips down from the canopies and accelerates degeneration of the sidewalks, she said. The light poles are currently higher than the canopies with the consequence that the canopies block the light, she said. While many of the canopies are accompanied by their own light, many have no lighting, she said.

Lighting

Through the public meeting process the staff has discovered that the public really likes the existing light poles in the downtown area, said Ms. Elfers. They like decorative additions to the

light poles such as flowers and banners because this adds color and vibrancy to the streets, she said. The staff has explored developing consistent surface mounted lighting that is publicly owned under the canopies which could reduce the number of light poles necessary for the area, since the light poles are a problem for street maintenance. This would allow the City to maintain some light poles which the public likes for aesthetic reasons, while at the same time creating consistent lighting under the canopies, said Ms. Elfers.

There will be another public meeting in December at which these ideas can be further explored, said Ms. Elfers.

They are also exploring the provision of storm drainage stub-outs above ground to each property, said Ms. Elfers.

Common Public Event Space

Other ideas explored in the report initiated by public comment concern the establishment of a common event and market space within the core area, said Ms. Elfers. Possibilities include Front Street or perhaps lower Seward Street, she added. One consideration is raising the street to the same grade as the sidewalks, but because of drainage issues this idea has been discarded, said Ms. Elfers. They will be looking at different design aspects exploring how a portion of the area could be made more pedestrian friendly and easier to temporarily close off for public events, she said. One idea is raised intersections which could create a possible plaza-like space, she said.

Focal Points

They are also trying to develop views and focal points to encourage the movement of pedestrians through the core area, said Ms. Elfers. The infrastructure currently in place at the intersection of Franklin Street and Ferry Way almost creates a wall, said Ms. Elfers, which discourages further exploration of the core area by pedestrians. They are trying to develop ideas to encourage movement through the entire area, she said.

Since the final report was written, they have also conducted further work identifying restrooms available for the public, said Ms. Elfers, so that restrooms can be strategically placed for the public in the future.

There are narrow sidewalks in town minimizing the right-of-way space, said Ms. Elfers, so one of the solutions, she said, is eliminating a lot of the clutter along the sidewalks.

They inventoried the canopies located in the downtown area, which will be beneficial to identify the direction they should take moving forward, said Ms. Elfers. That information is available on the City website, she added.

The next public meeting is scheduled for December 9, (2015), at 6 pm at the Baranof, said Ms. Elfers. They will present their most recent findings at that meeting and collect additional feedback from the public, enabling them to refine the document before it is presented to the

Commission and in the Assembly, said Ms. Elfers. There are currently no funds allocated for construction, she added.

Commission Comments and Questions

Mr. Peters asked if there is a total number of parking spots identified for the core area.

Ms. Elfers responded that she did not know that answer but that it was available in the report.

Commenting that he had initially been involved with this project 30 years ago, Mr. Haight commented that he appreciated the upgrading of the utilities in the area to better correlate with the aesthetics of the streets. Mr. Haight said he thought that reducing the amount of pole-mounted fixtures was a very good idea. He said he felt they would still be appropriate in areas where there were not canopies or where there were intersections. He said he liked the idea of publicly owned canopy lighting where the canopies were actually privately owned but entered upon public access.

Mr. Haight mentioned that one of his concerns regarding canopy drainage onto public walkway's involved the question of which entity would address freeze protection, considering public versus private responsibilities. While there is criteria for privately owned signs, he noted that he has observed that publicly owned signs do not necessarily follow the regulations for signage. He said that public signage would be nailed upon buildings without any consideration for that facility. He said this issue should be addressed.

Mr. Voelckers asked for clarification on how this project would move forward. He asked how priorities and a budget to implement those priorities would be established.

Ms. Elfers answered that utility structure upgrades will be a priority for this project. She acknowledged that this is a very complicated project with many pieces which need to be addressed. She said she felt this would be approached as a street right-of-way reconstruction with the Assembly making the final decision on funding for the project. She said there did not currently exist a strategy for the final funding for the project.

Since this is a project initiated by community initiative, the strategies for its implementation are not clearly defined, said Ms. Elfers.

X. REGULAR AGENDA

AME2015 0015: Review and Recommendation to the Assembly of the 2015 Land Management Plan Update.
Applicant: City and Borough of Juneau
Location: Borough-wide

Staff Recommendation

Staff recommends that the Planning Commission recommend to the Assembly that AME2015 0015, 2015 Land Management Plan Update is consistent with Title 49, Title 53, and the 2013 Comprehensive Plan.

Mr. Lange reported that the Land Management Plan will henceforth be updated every two years, or more frequently as needed. He said that it includes goals, an update of the ownership maps for CBJ land, a plan for the land disposals and acquisitions, as well as recommendations for certain land parcels. The goals of the Plan are to place CBJ land into private ownership, said Mr. Lange. The Plan is also to determine the best use for CBJ land for land development or preservation, he added. Other goals include land disposals that promote compact urban growth with the effective expansion of municipal utilities and services, said Mr. Lange.

An atlas accompanies the Plan which identifies CBJ owned land and the departments to which each parcel belongs, said Mr. Lange. The retention status of each parcel is also noted in the atlas, said Mr. Lange. The atlas includes an index which indicates the general use of each parcel, said Mr. Lange.

The Plan directs the development of individual lots making property available to nonprofit entities for low-cost housing, and for public and private partnerships for property development, said Mr. Lange, as well as disposal of large tracts of land to private developers.

The Land Management Plan also identifies specific land for development such as:

- 🏠 Renninger Subdivision
- 🏠 South Lena Subdivision
- 🏠 Switzer Area Three - investigate feasibility of development
- 🏠 Pederson Hill
- 🏠 Parcel 1420 - adjacent to the Bonnie Brae Subdivision
- 🏠 Second and Franklin
- 🏠 Sixth Street, Douglas - lots are already platted
- 🏠 Parcel 0315 - Auke Bay adjacent to Auke Bay Elementary School
- 🏠 Obtain Access to Isolated CBJ Land When Property Comes on the Market

Board and Commission Land Management Plan Comments

Mr. Chaney presented the Plan to the pertinent boards and commissions in Juneau for input on the Plan, said Mr. Lange. The Affordable Housing Commission recommended approval of the plan, said Mr. Lange. It was presented to the Douglas Advisory Board with most of their

comments being neutral on the Sixth Street parcels, said Mr. Lange, with one member of that board being in opposition to the Sixth Street parcel development. The Airport Board recommended five lots for its acquisition should they become available on the market, said Mr. Lange.

The Parks and Recreation Advisory Board (PRAC) had a large list of land which it recommended either be disposed of, traded with another CBJ department, or acquire different lands, explained Mr. Lange. The PRAC has plans to update its own management plan, said Mr. Lange. The Juneau Commission on Sustainability recommended that the Land Management Plan stress the importance of infill development. It also recommended the connection of bike routes within subdivisions, said Mr. Lange.

The Auke Bay Steering Committee recommended maintaining a bypass route for Auke Bay, the rezone of land adjacent to Auke Bay Elementary School, as well as the preservation status maintained for Auke Cape, Auke Island and Pillar Rock, said Mr. Lange.

According to Title 53, said Mr. Lange, the Planning Commission is to make a recommendation to the Assembly regarding the Land Management Plan. The Plan is to address the retention, use, disposal, development and subdivision of CBJ lands, said Mr. Lange. The Commission can recommend changes to the Plan which should be guided by the criteria identified in the staff report.

Outlined in the staff report there is also a considerable list of factors which the Commission should consider in its recommendation when reviewing the Land Management Plan, said Mr. Lange, such as keeping the Land Management Plan in line with the Comprehensive Plan and the long-term capital improvements program, and other plans adopted by the Assembly.

The contents of the Plan should have a long term disposal schedule identifying which parcels should be transferred to private ownership with a list of proposed land acquisitions, a list of parcels to be retained for public use and the intended management description for each, a statement of the major factors and assumptions which led to the parcels being identified for long-term disposal, and a description of infrastructure development required of the City and Borough in order to support the long term disposal schedule, said Mr. Lange.

The staff has found that the Land Management Plan meets the criteria it is required to fulfill, said Mr. Lange.

Mr. Chaney said that he wanted to emphasize that the person on the Douglas Advisory Board who was against the Sixth Street land development not only expressed his opposition but that he was extremely opposed to that proposal. Mr. Chaney said he wanted to make it clear to the Commission that should the development of that parcel be pursued, that there would be opposition in the community to that proposal.

The PRAC is getting ready to launch into a comprehensive plan update for the Parks and Recreation holdings, said Mr. Chaney. He said the feedback on the Land Management Plan provided by the PRAC was actually the commencement of its own comprehensive plan update. He said he did not feel that it was appropriate at this time to digest all of the PRAC's recommendations. The list is too ambitious, said Mr. Chaney. Those recommendations should be run through a thorough public process led by the Parks and Recreation Department itself, said Mr. Chaney. He said he recommended that those comments be put aside, for now.

The Docks and Harbors Department is also getting ready to implement its own land management plan from Norway Point to the bridge, said Mr. Chaney. He said he felt at this point it would be fairly easy to incorporate the recommendations from the Airport Board and Docks and Harbors into the current draft Land Management Plan proposal.

Mr. Chaney recommended incorporating the PRAC subsidiary land management plan into the main Land Management Plan once it is developed.

The Commission on Sustainability has recommended compact urban growth for the Land Management Plan, said Mr. Chaney. That is already goal number three in the Plan, he added. The protection of wild and scenic areas is a critical mission within the Plan, said Mr. Chaney. It also recommended more acknowledgment of bicycle and pedestrian connections, said Mr. Chaney. It would be easy to add that recommendation to page 92 of the Plan, he added.

Commission Comments and Questions

Chairman Satre said he felt the Plan was developed enough to move forward to the Assembly, and that he viewed this Plan like the Subdivision Ordinance, in which if everything was outlined that needed to happen at once, that the process would never be complete. He added that he did not want to eliminate the opportunity for the Commission to provide its input on the Plan.

Mr. Voelckers stated that as he interpreted Title 53, that it was explicit that the Planning Commission has a responsibility to provide a holistic overview of what the land recommendations are for the Borough. Stating that he agreed with Chairman Satre that a piecemeal approach should not be taken to the Plan, Mr. Voelckers stated that he felt there were still substantive issues that have not yet been addressed in the Plan. Most of the recommendations formulated at the end of the draft are good as far as they go, said Mr. Voelckers. He said, however, that specific issues they were to address outlined in Title 53 such as connectivity, and the assurance that industrial land be properly protected, as well as the topics of mixed use and multi-use, were not addressed to an adequate level of detail.

He said he felt it was the work of the Commission to translate the goal statements in the Plan into specific recommendations, and that it was that level of detail which was missing at this juncture. He said he felt that it would be appropriate that there be some committee meetings with representatives from the Commission and the staff to look at the broad scope of the Plan and refine it into more specific recommendations.

Mr. Watson asked when the PRAC estimated that its own comprehensive plan would be complete. He said he had heard this mentioned for the nine years that he has been on the Commission and that he has yet to see a completed plan emanate from the PRAC.

Mr. Chaney said that a date has not been provided by the PRAC regarding its land plan.

Mr. Watson said that it was his understanding that the Comprehensive Plan was to be rewritten in the forthcoming year.

It is slated to be rewritten, said Ms. McKibben. She added that the Lemon Creek area is also slated for formulation, and that it was on the list first. She added there is not the staff capacity to accomplish both projects at the same time.

Mr. Watson said he felt both areas could be addressed simultaneously, and that he felt it was important to commence with the update of the Comprehensive Plan. The land maps within the Comprehensive Plan need to be updated, he said.

Mr. Watson asked if the Borough had access to the Auke Bay right-of-way corridor or if it had to purchase or exchange land for the proposed bypass.

Mr. Chaney said the preferred bypass route does not include very much City property. He added that a lot of the property involved belonged to the University, along with some privately owned land.

Chairman Satre said he was not opposed to taking additional time to run the Plan through committee work. He asked what form the additional committee work would take: would it take place within existing committees such as the Title 49 Committee or the Subdivision Review Committee, or would it transpire during Committee of the Whole meetings of the Commission. He said with three Commission member terms ending within the next couple of weeks, that it would be a new Commission addressing these issues.

Mr. Haight commented that he was in support of the approach recommended by Mr. Voelckers. He said the Commission does have the obligation dictated through Title 53 to thoroughly review the Land Management Plan draft. Mr. Haight said he would like to see this accomplished in such a manner that this transpired as soon as possible.

There are so many variables to consider in the Plan, said Mr. Bell, that he felt the Commission should take the extra time to provide the additional direction within the Plan.

Mr. Miller said he felt the most productive method that he has observed for reviewing plans was the approach to the Comprehensive Plan, with Committee of the Whole meetings.

Chairman Satre said he agreed with Mr. Miller that Committee of the Whole (COW) meetings were the best means to accomplish review and input for the Land Management Plan. He said that he recommended that the staff establish a Committee of the Whole meeting date for the Commission to begin addressing the Land Management Plan. He said one of the agenda items at the first COW meeting should be establishing a time frame for working through the Plan and presenting it again for review at a regular Planning Commission meeting. He said he felt the COW should focus on the latter portions of the Plan, where specific recommendations on the goals could be implemented.

The Housing Action Plan would be an excellent addition to incorporate into the Land Management Plan, said Mr. Voelckers. He said he understood that it is probably at least a month away from completion.

Mr. Voelckers said he felt that a time frame accompany the recommendations for those lands that were recommended to be disposed of or retained.

Mr. Chaney noted that in the past when there was a time frame attached to land disposals that it really did not seem to make much difference as to when these actions would actually transpire. He said the staff could easily go through and provide more information on the suggested actions for the land parcels.

Ms. McKibben mentioned that several years ago a study was presented to the Commission which involved the Switzer Creek property that is currently being subdivided, Pederson Hill and the greater Switzer property. These properties were specifically prioritized for disposal, said Ms. McKibben. She said she was curious how this land prioritization related to the current Land Management Plan. That study was more specific with the establishment of clear priorities, she said.

Mr. Chaney responded that they are following the recommendations of that planning effort very closely. Renninger Subdivision was the first recommendation with Pederson Hill as the second priority, said Mr. Chaney, and that is exactly the order in which they are progressing.

Mr. Watson said he liked the idea of setting a time frame for the accomplishment of recommendations for the Land Management Plan. He added that he would like to see specific priorities attached to the land such as priority number one, two, three and four.

XI. BOARD OF ADJUSTMENT - None

XII. DIRECTOR'S REPORT

Proposed site visit to USS 1555, Peterson Creek Land Owners' Association

Mr. Lange said that members of the Subdivision Review Committee discussed a proposed variance for the Peterson Creek Subdivision which will be before the Commission at its next

regular meeting. The Association proposes that the Planning Commission visit the site so they would have a better idea of the area under consideration, said Mr. Lange. The dates of November 21, or November 22, from 10:00 a.m. to 3:00 p.m. were brought up as possibilities, said Mr. Lange. A meeting of three or more commissioners at the site would necessitate notification to the public, said Mr. Lange.

Chairman Satre suggested that a meeting time be established for the entire Commission to visit the property and that the public also be notified of the time and place of the visit.

Mr. Miller said as with many other properties which came up before the Commission for review that it was a very good idea for commissioners to actually pay visits to the site so they would have a better idea of the property under review. He said the land owner said Commission members could actually visit the property at any time between now and its next regular meeting.

Given that information, Chairman Satre said the invitation is open for Commission members to drive out and view the property on an individual basis.

Title 49 Committee Meeting

Ms. McKibben said there is a Title 49 Committee meeting scheduled for Friday, November 13, at 11:30 a.m. With the chairman of that committee unable to attend, Ms. McKibben asked if a quorum would still be available for that meeting. The topics under consideration for that committee meeting are reconsideration of the rezone request of the Engineering Department for Marine Industrial areas for the Rock Dump, as well as some proposed changes to Title 49 in relation to vesting of projects.

Mr. Watson asked for more information on the revisiting of the rezone of land in the area of the Rock Dump.

Ms. McKibben answered that earlier this year the Planning Commission heard and made a recommendation on a rezone request. That decision was protested to the Assembly, she said. The Assembly ruled that this rezone request go back to the Planning Commission, said Ms. McKibben. They would like to run this request through the Title 49 Committee before it appeared before the entire Commission, said Ms. McKibben.

Planning Commission Meetings for the Week of Thanksgiving and the Week of Christmas

Ms. McKibben asked if quorums would be possible for the Commission for those two meetings. Chairman Satre ascertained by polling the Commission members that a quorum would be available for the November 24, (2015) regular Commission meeting.

It could not be determined at this time if a quorum would be available for the December 22, (2015) regular Commission meeting.

XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES - None

XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS - None

XV. ADJOURNMENT

The meeting was adjourned at 8:35 p.m.