Agenda
Planning Commission
Special Meeting
CITY AND BOROUGH OF JUNEAU
Ben Haight, Chairman
October 29, 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, Vice Chairman; Michael LeVine, Nathaniel Dye, Ken Alper Dan Hickok, Travis Arndt, Weston Eiler (by phone)

Commissioners absent: Shannon Crossley

Staff present: Jill Maclean, CDD Director; Alex Pierce, Planning Manager; Amy Liu, Planner; Allison Eddins, Planner

Assembly members: Greg Smith; Loren Jones

II. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA-

Regular Agenda Item B *Introduction of the Juneau Historic & Cultural Preservation Plan* moved to Director's Report

III. APPROVAL OF MINUTES - none

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS- none

V. ITEMS FOR RECONSIDERATION- none

VI. CONSENT AGENDA- none

VII. UNFINISHED BUSINESS- none

VIII. REGULAR AGENDA

A. STV2019 0001: A Street Vacation Permit for a Right-of-Way vacation
Applicant: Thomas LeBlanc, Project Manager at Carver Construction
Location: 1706 Willow Drive

Staff Recommendation
Staff recommends that the Planning Commission adopt the Director's analysis and findings, and recommend approval to the Assembly for the requested Street Vacation Permit. The permit would allow the vacation of a portion of the unconstructed ROW located at 1706 Willow Drive, with the following condition:

The approval is subject to the following condition:

1. Prior to the issuance of the certificate of occupancy for the structure, the applicant submit a stamped as-built survey to the Community Development Department.

MOTION: *by* Mr. Levine to accept Directors analysis and findings and recommend Assembly approval of STV2019 0001.

The motion passed with no objection.

Ms. Liu presented and explained that the Commission has already approved the ADP for a reduced street side yard setback and rear yard setback to accommodate workshop space over the existing garage. However, this right of way was mistakenly omitted from the staff report for that ADP. The applicant is requesting vacation from 444 square feet of right of way.

The Right of Way was originally platted in 1953 and amended in 1958. Staff has not been able to find information regarding the intended use of the Right of Way and there is no anticipated future public use or reason to retain the Right of Way. Staff conducted an agency review and found there would be no detrimental effects to the neighborhood were the Right of Way to be vacated.

Commission Discussion and Questions for Staff:

Mr. Voelckers asked whether the Right of Way was included in the City Assessors database when determining property value. Ms. Liu explained that it is not included in the valuation as the Assessor's office was not aware of the Right of Way prior to this case.

Mr. Levine asked if granting the STV would have an effect on the AELP utility easement currently in place. Ms. Liu confirmed that this would not affect the electric easement.

Mr. Haight opened the floor for applicant and public testimony – The applicant declined to comment and there was no public testimony.

Mr. Voelckers asked for clarification of findings 1 and 7 and the status of the right of way. Ms. Liu explained Finding 1 addresses a specific federal process not related to this right of way. and finding 7 concerns whether the City had an explicit requirement regarding this right of way.

Mr. Haight noted that the area in question is a dead-end street and asked it the Fire department has looked into this and found it to not meet standards for turnaround. Ms. Liu confirmed that it does not meet dimensions standards and cannot be used as a turnaround by CCFR.

Mr. Voelckers asked if the fair market value of the Right of Way area been determined. Ms. Maclean answered that she believes Engineering has a rough estimate but she is not aware of what it is. Staff was waiting for the Commission approval before following up on that .

Mr. Voelckers was concerned that it seems onerous that we would now charge the property owner for a piece of land that nobody knew they did not have full rights to and that they have been paying property taxes on all this time.

Mr. Levine made a motion that the Commission accept staff findings and approve street vacation requested in STV2019 0001 subject to the condition in the staff report.

DISCUSSION:

Mr. Voelckers asked if finding 7 was also a condition because of the portion regarding Fair Market Value. Ms. Mores reminded the Commission that this is a recommendation to the Assembly and the vacation would have to be approved in Ordinance by the assembly. The Commission could include conditions with their recommendation if they so wish.

Mr. Levine amended the motion to recommend approval.

Mr. Alper asked if it would be in order for the Commission to make a recommendation that the property owner be credited for past years' property taxes paid for this land that they thought they owned. Ms. Maclean explained that in order for the City to dispose of land, it must be offered at Fair Market Value. Additionally, even with an easement, the landowner is able to enjoy and use the land and is normally taxed on such.

IX. BOARD OF ADJUSTMENT- none

X. OTHER BUSINESS - none

XI. STAFF REPORTS

B. Introduction of the Juneau Historic & Cultural Preservation Plan

Ms. Eddins introduced the Historic & Cultural Preservation Plan. A full presentation will be included at the next regular meeting.

Mr. Levine asked what happens if the Commission recommends approval or adoption of the plan when it comes back at the next meeting. Ms. Eddins explained that it would then be added to Title 49 and become part of the comprehensive plan.

Mr. Alper asked if CBJ does not currently have a preservation plan, how did the Downtown and Chicken Ridge neighborhoods become designated historic districts? Ms. Eddins explained in the 1980s and 1990s, CBJ had a robust preservation program but no official adopted plan.

Mr. Voelckers asked if guidelines reflect native building practices and customs standards. Ms. Eddins answered currently No. There would be a separate public process to determine what those guidelines should be. Ms. Pierce added this plan addresses preservation as a whole and is intended to provide a framework and not be overly prescriptive.

Mr. Arndt asked if the plan will cover both public and private properties. Ms. Eddins told the Commission the plan does not make a distinction between public or private.

Mr. Voelckers asked if the plan is implemented, does that guarantee CBJ will receive grants? If so, how much are the grants and how many entities will split them? Ms. Eddins explained that this will open us up to more grants. At the local level, the grants are about $25,000 but with this document, we could qualify at the federal level which is up to about $750,000.

<u>DIRECTORS REPORT</u>

Ms. Maclean explained the Title 49 committee is scheduled to meet tomorrow at noon but Commissioners Crossley and Dye may not be able to attend and quorum may not be met. The Commission agreed to reschedule to Friday at noon.

Ms. Pierce read a prepared statement from Mr. Felstead regarding the CIP Plan and recommending formation of a subcommittee to discuss and work on the Plan and what

to recommend on it. Mr. Eiler, Mr. Hickok, Mr. Levine, Mr. Voelckers, and Mr. Haight volunteered to be on the subcommittee.

Mr. Voelckers asked the Director for an update on the Auke Bay Plan. Ms. Maclean reported they will be sending a draft Ordinance to Law for their review soon. Then it will go before the Auke Bay Ad Hoc committee.

Ms. Maclean reported they have reached a settlement agreement with Richland Manor Estates and the Mountainside Estates abutters and will bring a new subdivision forward to the Commission on Nov 12.

Ms. Maclean announced this is Ms. Mores' last meeting. Ms. Mores spoke and said it has been a pleasure to serve and she will miss the commission. Ms. Mores Introduced Emily Wright as her replacement to the Commission. Mr. Haight thanked her for her service and assistance and welcomed Ms. Wright.

Mr. Levine asked for an update on the Comprehensive Plan process. Ms. Maclean told the Commission the South Douglas/West Juneau area plan is out for bid. They have started drafting a scope of services and hope to have that out for bid in January or February.

Prior to Commission Committee Reports, Mr. Haight brought up Mr. Smith to introduce each of the Commissioners and welcome Mr. Smith.

XII. COMMITTEE REPORTS

Governance committee – Mr. Levine reported they have completed review and are ready to introduce and adopt the new rules, possibly as soon as one of the November meetings.

Downtown Blueprint committee – Mr. Dye reported met and received a in depth report on the Historic and Cultural Preservation Plan from Ms. Eddins. Mr. Voelckers asked Mr. Dye if he is feeling comfortable with the timeline and process of the Downton Blueprint meetings. Mr. Dye reported the meetings have been working.

Title 49 committee – Mr. Dye reported they have not met since the last Commission meeting.

Public Works and Facilities committee – Mr. Arndt reported the committee met and discussed the Centennial Hall remodel and the ramifications of the voters not approving the 4.5 Million dollars to the JACC. They also discussed improvements to Treadwell Arena parking and the stanchions and chains to keep pedestrians on sidewalks. The stanchions have worked well and they are looking to input more downtown.

Wetlands Committee – Mr. Alper reported they met on October 17th and discussed gravel removal at Lemon Creek.

Mr. Smith asked where the Blueprint committee is in its process. Mr. Dye reported they are about one-third of the way through the committee process and is working its way up to eventually come before the Assembly.

XIII. LIAISON REPORTS –

At the beginning of the meeting, Mr. Haight introduced Assembly Member Greg Smith and gave him an opportunity to speak. Mr. Smith thanked the Commission for their service and gave a synopsis of his experience and the current and upcoming activities of the Assembly. There will be an Assembly retreat early in December. Current hot topics for the Assembly include child care, housing, senior housing and tourism.

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS- none

XV. PLANNING COMMISSION COMMENTS AND QUESTIONS - none

XVI. EXECUTIVE SESSION - none

XVII. ADJOURNMENT – 8:18 p.m.