

Agenda  
**Planning Commission**  
***Special Meeting***  
CITY AND BOROUGH OF JUNEAU  
*Ben Haight, Chairman*  
November 12, 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 7:05 p.m.

**Commissioners present:** Ben Haight, Chairman; Paul Voelckers, Vice Chairman; Michael LeVine, Ken Alper, Dan Hickok, Travis Arndt

**Commissioners absent:** Shannon Crossley, Nathaniel Dye

**Staff present:** Jill Maclean, CDD Director; Irene Gallion, Senior Planner; Laurel Christian, Planner; Allison Eddins, Planner

**Assembly members:** Greg Smith

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

**III. APPROVAL OF MINUTES**

A. October 15, 2019 DRAFT Minutes – Planning Commission Special Meeting

**MOTION:** *by Mr. LeVine to approve the October 15, 2019, Planning Commission Special Meeting minutes noting any staff corrections or Commissioner comments.*

***The motion passed with no objection.***

**IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None**

**V. ITEMS FOR RECONSIDERATION - None**

**VI. CONSENT AGENDA**

**CSP2019 0010:** A State Consistency Review for the Auke Bay Ferry Terminal site improvements  
**Applicant:** State of Alaska Department of Transportation & Public Facilities  
**Location:** 13445 Glacier Highway

**Staff Recommendation**

Staff recommends APPROVAL of this project.

**MOTION:** *by Mr. LeVine to adopt CSP2019 0010 and approve it with Directors analysis and findings.*

*The motion passed with no objection.*

**VII. UNFINISHED BUSINESS**

**VIII. REGULAR AGENDA**

**SMP2019 0004:** Preliminary Plat approval for a phased major subdivision creating 14 lots and 1 large tract for future development (15 total parcels)  
**Applicant:** Michael & William Heumann  
**Location:** 4506 Hillcrest Avenue

**Staff Recommendation**

Staff recommends that the Planning Commission adopt the Director's analysis and findings and **APPROVE** the Preliminary Plat for Phase 1 of the Chilkat Vistas Subdivision. This approval would allow the applicant to submit for the Final Plat Application. The approval is subject to the following conditions:

1. Prior to approval of the final plat, all required plat corrections listed in the MEMO from CDD to Michael Heumann (Applicant), dated November 1, 2019 shall be completed (Attachment H).
2. Prior to approval of the final plat, Certification from the CBJ Treasurer is required showing that all real property taxes and special assessments levied against the property for the year of recording have been paid.
3. Prior to approval of a final plat, the applicant shall submit a complete set of construction plans for all required improvements to the Community Development Department for review by the director of Engineering and Public Works for compliance with CBJ 49.35.140.

4. Prior to final plat approval, an engineer's estimate for the installation of public utilities and improvements must be submitted to the Community Development Department (CDD) and reviewed and approved by CDD and Engineering and Public Works.
5. Prior to approval of the final plat, the applicant has constructed all required improvements or provided a financial guarantee in accordance with CBJ 49.55.010.
6. The developer shall utilize Best Management Practices to treat or reduce any harmful particulates that may arise from the development.
7. The developer shall utilize Best Management Practices for storm water runoff to prevent sediment run-off from construction activities into neighboring waterbodies.
8. The developer shall submit a final drainage plan to be approved by Engineering and Public Works prior to final plat approval. This drainage plan must be signed and stamped by an Alaskan licensed engineer in accordance with CBJ 49.35.510.
9. The applicant shall pave, or bond for, the portion of the driveway in the right-of-way or the first 20 feet from the edge of the public roadway, whichever length is greater, for all panhandle lots created with this subdivision.
10. Prior to construction plan approval, the applicant shall submit a lighting plan meeting applicable CBJ standards.
11. The applicant shall install a residential sprinkler system that meets Capital City Fire & Rescue (CCFR) requirements in each dwelling unit constructed through Phase 1 of this subdivision.

Before beginning the hearing of this case, Mr. Haight explained the procedure of how hearing a case occurs. He stated that Staff would give a report regarding the case, the Commission would have the opportunity to ask clarifying questions, the applicant would give additional information and the Commission would be able to ask them more questions, then the public would have the chance to make comments regarding the case. After public testimony has been completed, the applicant would have a chance to add additional comments and address any comments and questions from the public and the Commission. Once this is concluded, the Commission would then go into deliberation. Mr. Haight then asked Ms. Maclean to give a brief summary of the background to case SMP2019 0004.

Ms. Maclean stated that a similar, but different, application in February of 2019 for a preliminary plat for a major subdivision in the same location, for the same parcel. That preliminary plat was approved by the Commission; however, it was then subsequently appealed by some of the abutters to the parcel. Over the following months, the appellants, the applicants, and CBJ worked to mediate what was hoped to be a settlement that everyone could agree to. That preliminary plat still stands. What was before the Commission at this meeting is a

new, separate preliminary plat application that is neither a modification nor an amendment to the previous plat. The applicants and the appellants did work together to create a settlement. While some of the settlement is within the Commission's purview, not all of the conditions are within the Commission's purview or something that CBJ would be holding to compliance. Some of the conditions are private agreements between the applicants and the appellants. Ms. Maclean wanted to remind the Commission that, as Ms. Christian goes through the application and the Commission hears the proposal and reviews the Staff Report, the purview of the Commission is still the same as it typically is for any major subdivision. It is per Title 49 and any other agreements, such as the buffers, are not within the Commission's purview. The Commission's purview is just the platting requirements per Title 49.

To clarify that everyone was on the same page procedurally, Mr. LeVine asked, since there is still a current, existing preliminary plat that covers largely the same geography, if the Commission was to approve this application, if it would fully replace the existing preliminary plat, or if there would then be two approved plats.

Ms. Maclean stated that she would have to double check the agreement, but she believed that if the Commission were to approve the preliminary plat being reviewed at this meeting, then there would be two standing plats that had been approved. Once the appeal period for the plat before the Commission at this meeting expires, if it is not appealed, then the applicants and appellants have agreed that they would withdraw the previous plat and move forward with the newest one. If the newest one is also appealed by a third party, or another party, then the applicant reserves the right to have the first preliminary plat stand until the newest one is worked through. Ms. Maclean asked if the Commission understood this procedure.

Mr. LeVine stated that this made sense and was the impression he was under when reviewing the information beforehand. He trusted that someone had made sure it would be okay for the Commission to approve two separate preliminary plats for the same area.

Ms. Maclean stated that the Commission could do so.

#### *Staff Presentation*

Ms. Christian gave a presentation regarding the application at hand, highlighting some of the primary differences of the new plat and proposals, compared to the previous plat and proposals. She noted aspects of the application that included Capital City Fire & Rescue requirements, traffic impacts, a reduction in a right-of-way width (ROW) for Phase 1 only, request for alternative roadway construction standards, drainage and grading requirements, agency and public comments, and Staff's findings. Staff recommends that the Planning Commission adopt the Director's analysis and findings and approve the preliminary plat for Phase 1 of the Chilkat Vistas Subdivision with conditions. This approval would allow the applicant to submit for the final plat application.

### *Questions from Commissioners*

To help in terms of background and context, Mr. Voelckers asked to review what the sketch plat means and what its legal standing is in relation to the preliminary plat. A number of phases are shown for development, some showing a lot of detail and some showing none, so the Commission would like to know what that meant.

Ms. Maclean stated that typically with a major subdivision, a sketch plat would be presented and is a requirement of an application. The basis for a sketch plat is for Staff, the Commission, and other agencies to have the chance to review a subdivision for its full, build-out potential, to ensure that the public roads and infrastructure are sized appropriately and is safe. Normally, a developer would not be held to developing a sketch plat exactly so, and as they go through the phases they are allowed to change that or go in a different direction. In this case, the applicant and the appellants have agreed to a number of conditions that do pertain to the sketch plat and the sketch plat was the method that was thought would best fit in with what the Commission also reviews. Through the sketch plat, some of the items are part of the conditions under the Commission's purview, others are part of the private agreement, such as the loop of Mountainside Drive and Hillcrest Avenue and Robbie Road will all be single-family dwelling units. They have also agreed that Robbie Road will only be extending so much as to allow for seven single-family homes, three of which could have accessory apartments. Ms. Maclean noted that the Community Development Department requires that, while Robbie Road may end in a cul-de-sac for seven homes, there may be an emergency service access road only, so future development in a later phase would have connections to the other side in case of an emergency, but it will not be a public road. Other items shown on the sketch plat per the agreement are a buffer between the existing Mountainside Estates Subdivision and the proposed subdivision and sidewalks on one side of the street, among other construction agreements. They have also limited how many units can be constructed in a specific area, but that is not something the Commission can condition, as the CBJ cannot limit density.

Mr. LeVine asked if the loop drawn on the sketch plat around Mountainside Drive was a piece of the settlement agreement, or if it was something under the Commission's approval.

Ms. Maclean stated that, that area was a piece of the private agreement.

Mr. LeVine asked for clarification on all of what the Commission was looking to make a decision on at this meeting.

Ms. Maclean stated that the Commission was only looking at Phase 1, 14 lots along Hillcrest Avenue and the large tract for future development at this meeting. The rest of the information was being presented, because the sketch plat was the method being used to make a settlement between the applicants and the appellants.

Ms. Christian noted that the preliminary plat, minus the color, is what development will look like. It will only have the fourteen lots and the large, remaining tract will just be blank. The

sketch plat will not be recorded with that. It is just something for CBJ files. The preliminary plat and the information with it is what the Commission would be making a decision on at this meeting.

As Richland Manor is neighboring a D18 zone, Mr. Hickok asked if there was a possibility that the applicant could attempt to rezone their parcels in the future.

Ms. Christian stated that she did not know if that was the intent of the applicant, but it could be possible. If the parcel is larger than two acres, or an extension of an existing zoning district, one could apply for a rezone. This parcel would meet either of those rezoning requirements.

Mr. Eiler asked for clarification on CCFR's requirements for separate access after more than 200 residential units are developed in the neighborhood, and where the requirements are derived from.

Ms. Christian stated that those requirements are derived from the International Fire Code and pointed out where the sections were quoted on these requirements.

In regards to condition 9, Mr. Arndt asked if the changes that were currently being made to Title 49 would have an impact on this.

Ms. Christian noted that the changes being made were in regards to Shared Access, but this parcel is considered a panhandle, so the proposed shared access changes to Title 49 would not impact this lot.

Mr. Voelckers asked if accessory apartments counted as two residential lots or if they counted as individual residential units, when calculating the aggregate numbers for a secondary fire access.

Ms. Christian stated that the Fire Code includes accessory apartments, but Staff won't know if the houses will or will not have accessory apartments until they build them, though. Three of them would not be able to have accessory apartments, as they will be bungalow lots, but the remaining 11 lots would be able to build accessory apartments and they will count as two residential units for fire code purposes.

With these calculations in mind, Mr. Alper noted that there could be up to 25 dwelling units in the subdivision, as proposed.

In regards to the corrections required for the preliminary plat, Mr. LeVine asked if these corrections were more for the recording aspect, or if they were for the Commission to look into.

Ms. Christian stated they were for the recording aspect.

With no further questions from the Commission, Mr. Haight asked the applicant to give his presentation.

*Applicant Presentation*

*Michael Heumann, 1925 Davis Avenue Unit D5, Juneau, AK 99801*

As the applicants anticipate, they are currently looking at just over 400 units at full build-out, 47 of which are single-family and 353 are multi-family units. The applicants believe this will help to mitigate some of the housing shortage in Juneau and provide a wide range of housing options. One of the challenges that has been seen is a lot of new construction has been more expensive units and some of the bungalow lots and panhandles will provide more-affordable options for people.

Mr. Heumann thanked everyone that had participated in the settlement agreement, as it was a very intensive process. Many were involved, including the applicants, appellants, neighbors, developers, planners, lawyers, surveyors, and engineers. The sketch plat has had a lot of work put into it, and while the Commission is only making a decision on the first phase, the applicants are bound to the rest of it via the settlement agreement, as long as the preliminary plat is approved. It provides a clear future for development, which has helped alleviate some concerns from the surrounding neighbors.

There were many concerns about traffic impact and neighborhood harmony, so the applicants have worked to balance things out in a way that works for everyone. With the previous application, the Commission had express some concerns with drainage, so the applicants hired a civil engineering firm to work on the drainage and come up with a more feasible plan. Roadway traffic was brought up as well, so they had the engineers look into that and there is currently a traffic impact analysis underway. The traffic impact analysis is not required for phase one, but the applicants felt it was prudent to begin working on that for future phases. Hooter Lane was also a big concern; it will not be built during this phase, but the applicants have worked out a path forward for that, as it will be required when the multi-family dwelling units are being developed.

Mr. Voelckers thanked Mr. Heumann for the analysis on the future phases, and asked for more elaboration on the proposed development of Hooter Lane regarding the drainage and buried utilities.

Mr. Heumann stated that sewer lines would be run up to the large tract. That could be avoided by building a sewer lift station, but the applicants feel it would be best to make the investment to run the lines in the first phase in order to avoid destroying people's yards and building a lift station that ultimately won't be needed in the future.

To follow, Mr. Voelckers noted Item 3 of the applicant's narrative that described how Hooter Lane will be developed as a fire access in the near future and fully developed as a City street, as

necessary. He asked if developing as a fire access meant being used for only emergency purposes.

Mr. Heumann stated Mr. Voelckers' interpretation was correct. He noted that they would probably improve the lane in the first phase, as installing the sewer lines and doing everything properly will require a road that big trucks can drive on and get the equipment to, so it makes sense to make the fire access as well.

In regards to the negotiations with the Mountainside Neighborhood Association, and working with the people of Tamarack Trails, Mr. Alper thought there may have been some miscommunication to them. Some of the people seem to be under the impression that the future Hooter Lane was an extension of the existing road that serves the condos, whereas the actual platted road kind of runs behind them, other than the initial part that runs off the highway. Mr. Alper asked if there was some sense of clarity with the neighbors there as to where the road is actually going to go.

As the applicants have not yet decided on the exact location of the roadway, Mr. Heumann stated that the discussion with the neighbors to provide clarity has not occurred. He noted that the intent is to build a road that is centered in the ROW. The applicants are aware that some of the concern is with the parking, but the as-built shows that this should not be a problem and the applicants have no intent to eliminate any parking spaces. Some realignment of the driveway may be necessary when the roadway is built, though.

Ms. Maclean pointed out that the settlement agreement did not involve Tamarack Trails. The settlement agreement was between the applicants and some of the residents of Mountainside Estates. There were also internal conversations with CBJ Engineering regarding the future build-out of Hooter Lane. For clarity, Ms. Maclean noted that previously property owners were allowed to construct a driveway in an unconstructed, but platted, public ROW. This is no longer allowed within the Urban Service Area. Allowing that driveway in that use though, does not preclude CBJ or a developer to come in and fully develop that ROW to the extent that it can be constructed. There is also a section of Code that allows for some waivers for any roads that were platted pre-1987, so they wouldn't be required for the portion of Hooter Lane that is platted today. The portion that is platted today is not required to be 60 feet in width, and CBJ would have the ability to waive it one sidewalk to have less impact to the Tamarack Trails condos if the sidewalk is put in on the opposite side of their condos, which was discussed internally.

To clarify, Mr. Alper asked if Ms. Maclean meant the sidewalk would be where within the ROW the physical road would eventually be developed, towards the south side away from the existing condos.

Ms. Maclean stated this was correct. She noted that it is a 40-foot ROW, so there would be travel lanes and one sidewalk, with lighting, on the other side to make less of an impact to the driveway for Tamarack Trails.

Ms. Christian clarified that it is a 60-foot ROW, not 40.

In regards to a section of land referred to in the settlement agreement as “the pocket”, Mr. Alper asked about the access to this area and how the applicants planned to develop that.

Mr. Heumann stated that access to this area would be a driveway, of sorts. When the applicants were planning this, they were looking at making a test piece out of the Alternative Residential Subdivision (ARS) Code. They wanted to provide the ability to build a fourplex in this area, if they found this would be the best way to move forward, but envision something more cottage-like. Market forces will dictate what is ultimately decided.

In regards to Ms. Maclean’s comments about locating the structure within the Hooter Lane ROW, Mr. Arndt felt it may make sense to push the road over away from the Tamarack Trails condos as proposed, but it looks to be a 10% grade there and it may actually make more sense to put the sidewalk on the Tamarack Trails side to avoid having to put in a crosswalk to get the people to the sidewalk.

Ms. Maclean noted that there are ongoing preliminary discussions to make sure the proposals are possible. The main concern is the grade that the current driveway accessing Tamarack Trails enters has quite a bit of a drop, so it will depend on what the engineering looks like. Staff was trying to balance the need of putting at least one sidewalk and lighting in, but also trying to be the least impactful to the existing condominium development. Pedestrian access was discussed, as well, but there was some feelings that it may work better on the opposite side of the existing ROW.

*Public Testimony*

*Paul Grant, attorney representing the appellants*

Mr. Grant told the Commission that he could answer any questions about the legal aspects of the settlement agreement from the perspective of the appellants.

*Brian Duncan – 4850 Glacier Highway, President of the Tamarack Trails Condo Association*

Mr. Duncan stated that Tamarack Trails has not been a party to any agreement that was settled upon. They have been participants in the CBJ planning process, at best. The initial plat that was approved previously had Hooter Lane being used as a utility corridor and there wasn’t much discussion on it in the multiple phases and getting it developed into a road. Tamarack Trails was involved in the process, but not alarmed by the process. Certainly, there is an impact on the condos, since the proposal is to add 400-500 more residents behind the existing condos and a considerable amount of that traffic will be coming down the hillside within 20 feet of the condo development. Putting a road in will be a substantial development to the existing condos and

the development behind them. From what he has seen, it sounds like the applicants and the City are trying very hard to go through all of the processes and get the developments done right. Mr. Duncan is more in favor of the sidewalk being on the far side of the road. It looks like two or three accesses will be developed from the condos onto that street, but they have not seen any drawings on what that will look like. However, they know that the development is in the first phase and it is being proposed to use the road as a utility access. You can tell by the numbers though, Hooter Lane will need to be developed. Tamarack Trails is very concerned about their driveway. Currently, 70 plus vehicles come and go through there every day, all day long, so if the driveway is torn up, the logistics for these people are seen to be very concerning. The applicants have stated that they will do their best to make it as least impactful as possible, and Tamarack Trails hopes the CBJ will also help to work on it. They know it has to happen, but they are concerned with how it will happen. It is going to be a major impact to Tamarack Trails.

In regards to Mr. Duncan's comment about two or three access points being developed from the condos to the new road, Mr. Alper asked which access points he was referring to, because he only sees the T-intersection where the existing access driveway would intersect with the future Hooter Lane.

Mr. Duncan stated that Building C has a large parking lot. He has not seen any preliminary drawings, though. Using a drawing presented by Ms. Christian, Mr. Duncan described where he imagined that new access points would have to be developed, in order to have traffic flow properly from the developments.

#### *Matt Pegues – 1409 Mary Ellen Way*

Mr. Pegues came as a representative to all the neighbors involved in the appeal and thanked everyone involved in coming to a settlement agreement. It was a tough agreement where a lot of people gave up a lot of time; no one is completely happy on either side, but they managed to come to an agreement, as long as both sides uphold their end of the agreement.

#### *Applicant*

Mr. Heumann felt that the statements made by Mr. Duncan are accurate, as there will need to be work done on Hooter Lane. That work has been started by the civil engineers to make sure that everything is developed properly. More analysis will take place. The applicants intend to do their best to work with Tamarack Trails. The applicants recognize that this will impact the people of Tamarack Trails, since the ROW will have to be next to them. In general, this is a disruptive item that is an unfortunate requirement of creating more housing, but the applicants will do their best to be a good neighbor and minimize the impacts.

#### *Discussion*

Mr. Levine asked Staff about the meaning behind Condition #5, and why it is phrased differently than the other conditions.

Ms. Christian stated that there are various improvements required for all subdivisions, including water and sewer. This subdivision will have lighting, sidewalks, and road. Engineering requires that those improvements either be constructed to standards that in Code and can be adopted by CBJ, or the applicant has provided a financial guarantee for those improvements before the final plat is recorded. Condition #5 is standard on all subdivisions, so there is no specific reason for the wording.

Regarding the housing count, Mr. Voelckers felt that it would be useful to explicitly state what triggers Hooter Lane on the preliminary plat notes. He was curious if there is a decision where it is sufficiently covered elsewhere.

Ms. Christian stated this was a note that came out of the settlement agreement, but there would be some reorganization of the plat notes, so that it is clear which ones CBJ can enforce and which ones they cannot. That specific plat note just speaks to Hooter Lane being developed at some point in the future. The Fire Code could change, which could result in a different trigger, so it would depend on what the Code is at the time of an application review. Ms. Christian would caution not to put a specific number on the plat.

Mr. Arndt asked if adding other accessory apartments, beyond the ones being proposed, would affect the other lots that access through Craig Street and their ability to add other accessory apartments.

Ms. Maclean stated that it may not prevent them from being able to develop more, but the Fire Marshalls would review them and determine whether they need to be sprinkled at that point.

With the 14 houses required to small, residential sprinkler systems, Mr. Alper asked if it would still be required to maintain those systems once the second access is developed.

Ms. Maclean stated that it might be possible for them to be removed, if the Fire Marshall accepted the other access; however, she is not sure how feasible that would be once it is constructed. She also noted that, at any point, once this plat is approved and moves forward, the developer can choose to build Hooter Lane sooner, rather than put in the sprinkler systems that they want. As long as they are meeting the Fire Code, either through sprinkling the units or providing the second fire access, they can develop in either manner.

Mr. Alper clarified that once the developer applied for a Building Permit down the road, the intent would then be known if sprinkler systems would be installed or the road would be developed earlier.

Ms. Maclean stated this was correct.

To determine what the Commission was attempting to do for this application, Mr. LeVine clarified that the Commission would be approving the sketch plat with there being some items in the notes, and other places, that come from the settlement, so they needed to make sure that plat meets the Code requirements with the conditions that are and are not required by Code.

Ms. Maclean stated that was correct.

**MOTION:** *by Mr. LeVine to adopt SMP2019 0004 and approve it with Directors analysis and findings, subject to the conditions listed in the Staff Report.*

***The motion passed with no objection.***

*Paul Grant – 313 Coleman Street, Attorney for the appellants*

Mr. Grant stated that the process the applicants, appellants, and everyone involved in the appeal went through for the appeal was quite laborious, but very productive. Mr. Grant commended the applicants for their willingness to compromise on a number of issues; they made some hard decisions, but those decisions will be for the betterment of the project and for the neighborhood, in general. Mr. Grant wanted to suggest to the Commission that there may be a way to institutionalize the process that one goes through for an appeal. It would involve some sort of mediation format, in which there is a period for the parties to get together with a neutral third party. In this case, the attorneys were sort of acting in that role; even though they were representing clients, they were also trying to be negotiators and mediators. Throughout the process, Mr. Grant felt that they made the project better through the process of negotiating for this deal. He believes that the CBJ would be well advised to consider developing some sort of formal process, which is specifically for a contested appeal that has a possibility to be resolved through mediation. Were there a more formal process, it might have been less time consuming and easier on all the parties involved.

Mr. Haight thanked Mr. Grant for his suggestion and felt that the City Attorney would be very interested in reviewing that. If a committee would be developed, Mr. Haight felt Mr. Grant would be helpful.

Mr. Grant stated he would volunteer for such a committee, as he believes that mediation is a very logical way to solve problems.

Ms. Wright noted that, for future reference, it would be good to reopen public testimony and close it again, when someone chooses to speak after it has been closed.

**AME2019 0012:** A Text Amendment to adopt Juneau’s Historic and Cultural Preservation Plan as part of the CBJ Comprehensive Plan.  
**Applicant:** City & Borough of Juneau  
**Location:** Borough-wide

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission review and consider the draft *Historic and Cultural Preservation Plan* and recommend to the Assembly its adoption as an addendum to the Comprehensive Plan.

*Staff Presentation*

Ms. Eddins gave a brief overview and presentation on the draft Historic and Cultural Preservation Plan, noting some background information, why it is important for Juneau, and how it is organized.

Mr. Hickok asked about how the Plan would develop a subcommittee and how the subcommittee would do research and dictate what is historic and cultural.

Ms. Eddins stated that, if the Plan is adopted, some of the action items would be implemented. There would not be a new subcommittee formed, the Historic Resources Advisory Committee (HRAC) and Staff would continue to work together. One of the first things in mind to do is start applying for funding opportunities. Those opportunities would help to update the historic building surveys to gather an accurate representation of what is in Juneau. Once the surveys are done, HRAC and Staff would want to go out and engage with the public. There has been some discussion about how Juneau has some neighborhoods that are locally significant and there is some interest in having those neighborhoods listed on the national register of historic places. Having these neighborhoods on the national register would create more funding opportunities for preservation coming from the Federal Government. That would be a near-term action item. A long-term action item would be to take these surveys and engage with the public in conversation on becoming a nationally recognized historic neighborhood and if they would like to have design standards that go along with that. HRAC and Staff want to make sure that everything is done in a step-by-step process.

Mr. Hickok asked if certain property owners of a historical building, within a historical neighborhood, would have a say in if they want to be involved in everything, or if it would be a title given to them.

Ms. Eddins stated that they would have a say. One of the requirements for the neighborhoods to be listed on the national register is that a majority of the property owners have to sign onto it. It doesn’t have to be 100% in agreement, just a majority. Additionally, there is an option for property owners to opt-out.

Mr. Hickok asked if this would be more for neighborhoods, rather than individual buildings.

Ms. Eddins stated that there are certainly quite a few buildings that are significant and could be listed on the national register themselves. They can pursue the listing on their own, but they don't need help to do that. However, there are certain funds that only a Certified Local Government (CLG) is available for. Therefore, if the City wanted to apply for funding that would create some standards for an entire neighborhood, then HRAC and Staff would play a role in that. To clarify on the process, Mr. Arndt asked if the Commission was looking to approve the draft plan at this meeting and it would continue on to the Assembly for their review, or if this was something the Commission needed to go through completely for them to approve.

Ms. Eddins stated that the Commission was to go through it completely and make a decision.

Ms. Maclean noted that the draft plan was given to Commissioners at the last meeting, in hopes of reviewing it in depth and asking questions at this meeting. Staff could continue this discussion at the following Planning Commission, as well, if more time was needed for review.

Mr. Voelckers stated that he had thoroughly read the draft plan and had some comments for Staff. He felt there was a lot of good information in the draft, but didn't feel it was quite ready to go to the Assembly, yet.

Mr. Eiler felt that Staff had made a great start on the draft plan, but also wanted to spend more time on reviewing it.

Mr. Arndt asked if this information had come before the Commission at an earlier time.

Mr. Haight stated that the first time the Commission had seen the full draft plan was at the previous meeting, but there had also been some discussions previously to make the Commission aware that the draft plan was coming.

Ms. Eddins noted that the process for this plan had begun in 2016. It has taken awhile to get to this point due to grant funding, though. However, Staff came before the Commission when they applied for the grant funding, when they gave an update for Phase 1 regarding public input, and again when they applied for Phase 2 to write the plan.

In regards to how this fits into the Comprehensive Plan instructed process, Mr. LeVine asked if Staff was following the old process, or the one within in the new Comprehensive Plan, or if they were merging the processes.

Ms. Maclean stated that Staff had been discussing that. For background, she noted that the Assembly had asked the Commission and appointed an Ad Hoc Committee to look at the

Comprehensive Plan and next steps. That committee unanimously agreed that a new Comprehensive Plan was needed. One of the key items being written into the scope of the new Comprehensive Plan is that the consultants clearly address the relationship between the Comprehensive Plan and the other working plans associated with it.

Mr. LeVine thanked Ms. Maclean for the update on the new Comprehensive Plan, but restated his question regarding the process being followed for adopting the Historic and Cultural Preservation Plan.

Ms. Maclean stated that it would be following the same process as before, because the new Comprehensive Plan won't be complete for a few years.

**MOTION:** *by Mr. LeVine to continue discussion on AME2019 0012 to the next regularly scheduled meeting to allow Commissioners more time to review it and have conversations with Staff.*

***The motion passed with no objection.***

Ms. Maclean noted that they will want to open the case for public testimony again at the next hearing, as well.

**IX. BOARD OF ADJUSTMENT**

**X. OTHER BUSINESS**

**XI. STAFF REPORTS**

Ms. Maclean noted that she would not be present at the following Commission meeting and Ms. Pierce would be sitting in for her. She asked the Commissioners to hold December 17 for a Planning Commission, in case a hearing was needed, but nothing had been scheduled at that time. The Title 49 Committee is scheduled to meet on December 12. Staff plans to bring the Conditional Use Permit application materials required for the permit to see if the Commission wanted to discuss the standards for the application. The Wetland Review Board is scheduled to meet on December 19. The Blueprint Downtown Steering Committee did not have a quorum for their last meeting; however, the Engineering Department did present on wayfinding as an informational purpose only. The South Douglas/West Juneau Area Plan has been awarded to Corvus and a couple of their subcontractors, so that plan should be starting soon. Ms. Eddins is the main staff person assigned to manage that project. The amended Rules of Order should be ready for the December 10 Planning Commission meeting. The Auke Bay Zoning Ordinance is being submitted to the Law Department. Staff is working on Accessory Apartments, Shared Access, and Common Walls to update them and return them to the Law Department in December, so they will hopefully come before the Commission sometime in January or February. The priority is the Streamside Buffers as a major ordinance, though. The Nonconforming Ordinance is schedule for a Committee of the Whole meeting before the

Assembly on December 2, and it is believed they do not intend to take public testimony that evening.

Mr. Voelckers asked if anything was scheduled for the Auke Bay Area Plan Ad Hoc Committee as this time.

Ms. Maclean stated that the way the Committee had left it was to submit the ordinance to the Law Department and once it was returned, the Committee would meet again. She noted that she has asked Ms. Eddins to schedule the meeting to occur in the evening, in Auke Bay, without public testimony. To establish a quorum, Ms. Maclean asked if Commissioners would be able to attend a Committee of the Whole Planning Commission meeting on November 26 at 6pm, before the Regular Planning Commission meeting.

Commissioners stated they could be present for this meeting.

Regarding the amended Rules of Order, Mr. Arndt asked if it was coming before the Commission to be reviewed and voted on, or what was the Commission hoping to accomplish at the next meeting.

Mr. LeVine stated that the Rules went through the Rules Committee and they had some questions for the Law Department. Mr. LeVine has had discussions with Ms. Mores and he believes the questions have been resolved. There were some substantive changes, but they all seem to be resolved. He expects the Commission to be able to review the amendments and approve them, and there will be no public testimony on this item. The ongoing conversation between the Committee and the Law Department has centered around the conditions under which meetings may be extended past 11pm, 11:30pm, and midnight and some of the nuances about which section the rules regarding public testimony belong in. There has also been an ongoing conversation about how decorum is characterized for the Commissioners and the public.

## **XII. COMMITTEE REPORTS**

Mr. LeVine stated he had attended a meeting held by the Juneau Commission on Sustainability since the previous meeting. They are focused on a variety of topics, including one for a proposal to the Assembly for sustainability awards. There are many questions still, but Mr. LeVine felt it is a good idea.

## **XIII. LIAISON REPORTS**

Mr. Smith stated that a Regular Assembly meeting occurred on November 4 where they joined the remote sales tax commission, hoping to generate more revenue from online sales. They set the Assembly calendar for 2020. They have a retreat on December 7 where they will set their

Assembly goals, some of which will include improving downtown housing, evaluating next steps and benefits with the West Douglas Road and Channel Crossing, developing a downtown transportation plan, updating the Comprehensive Plan, completing the Downtown Area Plan followed by Douglas and The Valley, identifying future industrial land, revitalizing downtown based on the Blueprint Downtown Plan, and maintaining Assembly focus on deferred maintenance. There was a Finance meeting on November 6 where the recycling fee will be removed from water and wastewater utility bills. This creates a \$5,000 gap, but the Assembly is looking at ways to make that up. The Alaska Municipal Conference occurs the following week.

Mr. LeVine asked for an update on filling the coming vacancies on the Commission.

Mr. Smith stated that the Assembly is evaluating a few dates in December to appoint members for the Planning Commission and other boards. There may be a chance that the application period will be extending, but he does not know if that will happen.

In regards to the Nonconforming Ordinance being presented at the next Assembly meeting, Mr. Arndt asked if they had any initial thoughts on what direction they would go in.

Mr. Smith stated he was unsure.

Ms. Maclean stated that the Assembly may not have received the packet with that information yet for that meeting.

**XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None**

**XV. PLANNING COMMISSION COMMENTS AND QUESTIONS - None**

**XVI. EXECUTIVE SESSION**

**XVII. ADJOURNMENT**

***The meeting was adjourned at 9:01 p.m.***