

GREATER JUNEAU BOROUGH PLANNING COMMISSION
MEETING - April 8, 1968
JUNEAU, ALASKA

(1) A regular meeting of the Greater Juneau Borough Planning Commission was held on Monday, April 8, 1968 at 8:00 p.m. at 210 Admiral Way, the Borough Offices. The following attendance was noted:

| <u>Present</u> | <u>Absent</u> |
|----------------|---------------|
| Daugherty | Campbell |
| Graves | Sands |
| Hart | Schulz |
| Peratrovich | |
| Prince | |
| Ward | |

Chairman Ward announced that a quorum was present. Administration present included Assistant Planner Miss Brockman and Zoning Administrator Mr. Bolton. Also present was Assemblyman Miller.

PUBLIC HEARING

Conditional Use Application - T & S Welding

(2) Mr. Bolton gave the location as approximately 600 or 700 feet on the Juneau side of the old Mendenhall Dairy barn on the water side of the Glacier Highway. The subject property was presently zoned general commercial. T & S Welding was being disposed by the Travelodge in Juneau and was proposing to locate on the property in question. Mr. Bolton read the following correspondence: a letter received April 8, 1968 from Schuyler Stevens, District Pre-Construction Engineer, State of Alaska, Department of Highways, with reference to a shop conditional use. The State had no objection but the approved line on the proposed highway alignment and the intent of the Highway Department should be brought to the attention of the owner of the subject property. Construction of that section of the highway was July, 1971 with right-of-way in 1970. The accompanying map showed the property in question, present Glacier Highway and proposed right-of-way; it was the most up-to-date proposed alignment.

(3) Bryon Sandford of T & S Welding questioned if the public hearing was to determine whether he could get the conditional use permit to put the business in the vicinity. As an alternative Mr. Sandford could move the building back so the highway would not conflict. Mr. Bolton noted that the procedure the specific request proposed was contained in the application; in certain instances the application approved was with the specific request. Mr. Sandford stated that due to the time element involved he would probably have to go to frame structure. Discussion ensued re depth

of lot, what would be left of the lot after the new highway was constructed. Chairman Ward remarked that the Glacier Highway was a limited access highway and wondered if there was any mention of access in that area. Mr. Bolton commented that frontage roads would be constructed; there was no unlimited access permitted from the remnants left over. Mr. Prince noted that the State could not deny access without providing other access. Further discussion ensued re limited access scheme planned. Hearing nothing further, Chairman Ward declared the public hearing closed.

MINUTES

(4) The minutes of the regular meeting of March 25, 1968 were considered. Mr. Daugherty moved, seconded by Mr. Graves, the minutes of the regular meeting of March 25, 1968 be approved. With the question called, by voice vote the motion carried.

(5) The minutes of the special meeting of March 29, 1968 were considered. Mr. Prince moved, seconded by Mr. Peratovich, the minutes of the special meeting of March 29, 1968 be approved. With the question called, by voice vote the motion carried.

PLANNING COMMISSION

Set Public Hearing Date for Rezoning: Applicant James Williams

(6) Mr. Bolton commented that the application was to change the zoning from R1B single family to R2B multi-family for 34 acres of land by the upper Mendenhall River bridge on the Loop Road. He noted that the application was in order. Mr. Daugherty moved the public hearing be set for the next meeting, April 22, 1968. With a second heard and the question called, by voice vote the motion carried.

Conclude Action on Zone Change Application of Helin, Horn & Shanks

(7) Mr. Bolton noted that at the last planning commission meeting when this topic was discussed, the staff was directed to prepare a short report of orderly transition of development in the Lemon Creek area. The staff proposed that the maximum amount of commercial area that should be established with the adoption of the new zoning maps was as shown on the map by a solid line and included the Tides Motel to Lemon Creek. Some 50 plus acres encompassed within that area would be more than enough to meet the foreseeable commercial demand in the area. The proposed alignment of the Outer Drive would possibly include an access point into the subject area which would make it quite strategically located and highly accessible to the major arterial. Mr. Bolton

pointed out the property in question of the zone change application from Helin, Horn & Shanks and further stated that the staff could not support that much of a commercial bite because it ran the zone into the mountain and most of the area would probably develop as multiple family or residential; the need for development seemed to be with housing. With the staff's proposed recommendation the applicant would be given approximately 15 acres of general commercial land. At the present time in the area recommended for commercial zoning, seven or eight dwellings were in the area and of that part five commercial uses had been established.

(8) Mr. Daugherty asked with regard to gravel removal by Mr. Horn if the industrial area recognized any grandfather rights. Mr. Bolton remarked that as far as aerial photos showed no gravel had been removed from Mr. Horn's 55 acres. If Mr. Horn's right had been established through 10 years of use, he had established a grandfather's right. He subsequently passed around the aerial photo to show the commercial pattern which did not follow any property line at present. Discussion ensued re what was the effect of dividing parcels of land privately owned, what would be the zoning and would the property owner be entitled to have his small remaining parcel assume the zoning of the larger parcel. Mr. Bolton commented that before the final zoning maps were presented the staff would meet with the property owners in the subject area. Chairman Ward asked how firm was the Highway Department's thinking with the access road on the northwest side of Lemon Creek. Mr. Bolton commented that the Highway Department had recently been toying with the idea and thought it was a very good place for an access road. He further commented that the proposed ordinance did not include the provision if a small lot was divided by a zoning district, the owner would have the right to include the parcel in the least restrictive zone.

(9) It was noted that Mr. Horn wanted the whole area zoned as requested and further wanted the general commercial section in the ordinance changed so multiple family dwellings could be put into the general commercial district. Mr. Daugherty remarked that he had spoken with Mr. Horn who wanted to get a determination now if a zone change was going to be made. Mr. Horn originally had asked for the front 10 acres of his property to be rezoned and later came back and asked for the whole 55 acres to be rezoned. Mr. Horn's other concern was with his gravel removal operation which came under grandfather rights. At present Mr. Horn would be satisfied to have the front portion of his property rezoned. Mr. Peratrovich moved Mr. Horn's application for zone change of 55 acres be approved. Mr. Prince asked if a motion could be made based on the planning prerogative that they take a portion of Mr. Horn's property and include part of the staff's proposed general commercial area. The recommended staff proposal included approximately 12 acres of Mr. Horn's property. Mr. Peratrovich's

motion died from lack of a second. Mr. Prince moved, seconded by Mr. Graves, that that part of the area within the perimeter of the solid boundaries of the staff's proposal for change to general commercial which lay within Mr. Horn's 55 acres and that part that lay east from an extension of the determination of the curve of the Glacier Highway boundary be zoned general commercial. When asked why Mr. Prince did not include the whole area proposed by the staff, he replied that it was too much land. With the question called, the following vote was taken:

| | |
|------------|---------------------|
| <u>Yea</u> | <u>Nay</u> |
| Prince | Hart Peratrovich |

Mr. Daugherty abstained from voting. The motion failed to pass.

(10) Mr. Peratrovich moved, seconded by Mr. Hart, the staff's recommendation for zone change to general commercial be accepted, subject to the approval of Mr. Horn. With the question called, by voice vote the motion passed with a 3 to 1 vote. Mr. Daugherty and Chairman Ward abstained. It was noted that Mr. Horn would be so informed and the planning commission's recommendation would be forwarded to the Assembly.

Review of Engineering Report, Sewage, Collection & Treatment prepared by Wyller, Killewich, Van Doren & Hazard

(11) It was noted that the people who were working with Wyller, Killewich, Van Doren & Hazard would be present at the April 22, 1968 meeting to go over the report. Mr. Killewich who was present to answer any questions stated that the estimated cost of sewage was \$3,000,000. Chairman Ward remarked that he had received letter from the airport area study sewer group signed by Mr. Loren Adkins, also present, and suggested that the people involved and interested in the report should be present at the next meeting. Mr. Peratrovich asked if this particular plan had been coordinated with the City of Juneau plan. Mr. Prince remarked that it looked like it fit well within the City of Juneau plan. Mr. Killewich commented that when they finally got their application cleared with HUD, a detailed sewer study did not extend to the City limits. Some study had been done as far as a tie-in with the City of Juneau and another study was going to be made for ASHA to show the tie-in in nature to Juneau and Douglas. The present report had maps included to show what they called a detailed study area. He further commented that HUD would not go for making a complete study of the Borough as such. Their study within the populated area excluding Juneau and Douglas fit the populated area of Juneau. Mr. Killewich noted that everything on the plan was based on an overall plan and the purpose of the study to get any funds was to have an overall plan. The idea was to eliminate what had been

done in the past and to eliminate unnecessary duplication. There would be minor changes which would be dictated by what happened. Comment was made that matching funds were quite considerable. Each part of the report was part of an overall plan. Further comment was made re getting sewer lines down on the beach, sewage discharging in septic tanks and action of tidal waters giving good dilution. Mr. Killewich noted that the Health Department did not entirely rule out the possibility that if waters were not remaining as pure as they now were, the home owners on the beach might have to pump their sewer up to the highway to meet the other sewer lines. He added that he would like to have any written communications that were available on the subject as he was going to meet with some men to discuss this topic at the end of the week and was interested in anything that had been said.

T & S Welding - Action on Conditional Use Application

(12) Mr. Prince moved, seconded by Mr. Graves, the conditional use application of T & S Welding be approved. Mr. Bolton gave the staff report which contained two conditions such as screening of outside materials--no junk yard appearance and lighting or flashes reporting from welding should be protected from night traffic. The staff's recommendations re the conditions above-mentioned were accepted by Mr. Prince and Mr. Graves as part of the motion. With the question called, by voice vote the motion carried with two absentions.

Garden Apartment section in new ordinance

(13) Mr. Bolton noted that this section was originally approved to go into the new zoning ordinance but a question had arisen as to whether the section would at the present time be incorporated into the old ordinance. Mr. Daugherty moved, seconded by Mr. Prince, the section be approved applicable to the new ordinance only. With the question called, by voice vote the motion carried unanimously.

Method of Voting

(14) Assemblyman Miller commented that he did not know who was responsible for setting up rules of procedure but he would like to recommend that the planning commission adopt as far as zone changes and conditional uses the same procedure that the Assembly followed--a majority vote of the entire body instead of a majority vote of those members present. He further would like to propose an amendment to override the planning commission's recommendation on conditional uses by a two-thirds vote of the Assembly. He did not think he could come before the Assembly with this topic without

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the approval of the planning commission. Chairman Ward read Sec. 49-10-070 re quorum of planning commission and majority vote of those present. Discussion ensued re abstentions and recommendations coming to the Assembly with a majority passage.

(15) There being no further business to come before the commission, the same adjourned at approximately 9:40 p.m.

Chairman

Attest:

Clerk