I. Call To Order
Mr. Powell called the meeting to order at 5:03 p.m.

II. Approval of Minutes
Mr. Sanford moved to approve the August 16, 2004 Committee of the Whole (COW) minutes.
Hearing no objection, the minutes were approved.

Mr. Powell turned the meeting over to Jeannie Johnson, Chair of the Waterfront Development Committee, (WDC).

III. Agenda Item
A. Amendments to the DRAFT Long Range Waterfront Plan
The WDC has met extensively over the past several months to consider amendments to the Draft Long-Range Waterfront Plan.

Mr. Pernula went through the major elements of the Draft Plan by subarea and then explained the changes in context. These are what the WDC is recommending to the COW, addressing Plan Subareas A, D, E, & F. Subareas B & C, and the issue of cruise docks will be taken up in the next meeting.
There have been several ideas regarding cruise docks proposed, but the WDC has not taken those up because they are waiting for technical review from NorthWest Cruise Agency (NWCA), which they hope to have by the first part of September. Goal is to introduce this at the Assembly meeting of September 27th as an ordinance, with a public hearing, and hopefully adoption at the Assembly meeting on October 11th.

The Plan was assembled through a collaborative process between the Planning Team, community residents, waterfront users, CBJ leadership and staff.

Mr. Pernula briefly described the planning study areas and also went over the 8/23 memo of combined area recommendations from the WDC.

Section 1 – Master Plan Overview
Moved each plan horizon forward by one year to establish a realistic starting date and to be consistent with adjustments to the timeline to Table 8, pages 67-70 of the Draft Plan.

Section 2 – Organizing a Compelling Vision for Juneau’s Waterfront
This section is an inventory of existing land use, waterfront facilities, regulations that are effective for the area, and some prior planning efforts done for the waterfront, etc. It also established goals for the Waterfront. Eleven changes were highlighted in this area.

Section 3 – The Long-Range Waterfront Plan
Covered areas A, D, E, & F, highlighting major elements where there were changes. Dimensional standards for subareas added in the overview before the subarea provisions to indicate that it will apply to all subareas. Changes were made to the following areas:
Area A
- Massing & Scale – Interior streets & Egan Drive.
- Relocate the maintenance shop and change the area into a park.
- Create a loop connecting 8th & 9th Streets when the property comes available.
- Don’t develop the road around the perimeter next to the water.
- Consider purchasing land where the seawalk starts going east and west.

Area D
- Change the line separating Area D from Area E and also the line separating Area D from Area C.
- Amend the massing and scale requirements for Area D so they are consistent with the Juneau Historic District standards.
- Do not require building setbacks from the waterfront.
- Area D designates water taxi terminals, and there were questions regarding logistics and security problems associated with such terminals.

Area E
- Change reference in the area from "light-industrial" to "industrial".
- Some existing non-industrial, non-tourist uses are appropriate for the AJ Rock Dump and should be permitted.
- Building heights should be limited along the waterfront of the AJ Rock Dump, but height limitations are not necessary in the interior of the industrial area.
- Revise the bullet on street orientation.

Area F
- Revise land use at the Little Rock Dump in regards to a working waterfront zone.
- Pedestrian access along the waterfront of Thane Road should be enhanced.
- Massing and scale.

Unifying Projects
- Seawalk
- Water Taxi
- Shuttle Bus System

Section 4- Phasing and Implementation Strategy
Move planning horizons forward by one year. Change project references on map as necessary to be consistent with various amendments made to Table 8.

Comments:
Mayor Botelho was concerned about dimensional standards for subareas. He stated that requiring these standards at this time may not be appropriate, but if someone now started planning a project, they would have to wait until we adopted standards for this area. Are we leaving them hanging? If someone follows these guidelines are they safe?

Mr. Pernula stated that this is a plan. It is a guide of what we want to see occur. We still have some laws on the books, zoning regulations relative to this and all the areas that wouldn't really allow some of the variations that we are talking about. It is not available yet until we codify it.

Mr. Powell was concerned about the height restriction loosening up to allow for higher buildings. What’s the process now regarding height? Mr. Pernula answered that right now a person could build something beyond those numbers that would require a variance. A few feet is one thing, but to go from 2 or 3 stories to 5 or 6 stories is another. It would be extremely difficult to meet the criteria of Title 49 for a variance to allow a couple of additional floors. So having it in the code where you would have a special process to look at various design criteria would provide an alternative to a variance, which is very tight.
Ms. J. Johnson commented as to why the WDC was looking at the height restrictions. WDC thought it might be better to have some open view corridors than to have a wall of 35’ buildings. The other thing that we are hearing from the Mental Health Trust is that if they are limited to 3 stories maybe buildings won't pencil out. We felt comfortable with the fact that through the planning process there would be those public analysis to make sure it was done in a proper way.

Mr. Powell stated that in Area E (industrial), he doesn’t have problem with that. In Areas A, B, C, & D, to go above 35’ on the other side of the road, he has a problem with that. He could see flexibility either way laterally but not vertically. He said there already is a process for varying from the 35’. So if they come up with a good rational, he bets it would go through the Planning Commission and be allowed. To loosen up standards even more through a plan is not good.

Mayor Botelho noted that the timeline does not list dimensional standards. Ms. Pierce replied that on page 3 of Mr. Pernula's memorandum where he talks about follow-up, "Development of dimensional standards differing from those currently in Title 49 will require ordinance amendments, after a public process." It would be a good idea to make that a near-term project, put a time-line on it, and include it in Table 8 of the Plan.

Mr. Pernula mentioned to Mr. Powell, that what may be envisioned instead of having a solid wall with 35’ buildings that block the view all along the waterfront, is to allow higher buildings with open spaces between, which in turn may give permanent open views of the water along a portion of it. So there would be some give and take. It really depends on the criteria that are established. What are you going to expect from a developer for some additional stories and where you want to preserve those views?

Mr. Powell said he guessed he would have to talk with the experts, but there is a reason we put 35’ in the dimensional standards. We need to be flexible. He would prefer to have 3 stories and have more of a view than have 5 story buildings.

Mr. Chaney mentioned we already have dimensional standards and the consultant put a lot of very specific standards in the Plan without really talking with us, and rather than just throw everything out, we were just saying that these are guidelines we would look at if we want to change our standards. But we have standards. We can design and build buildings right now and we don't have to wait to modify our codes. A lot of things that are being proposed here can be done under our current rules. The only thing regarding building height we don't have under the variance criteria right now is when the Planning Commission has to evaluate a variance they have to look at a clinical list. It doesn't say anything about trading off public amenities. So it is possible for someone to ask for a variance and get approved through the variance criteria without the public getting any amenities. In some ways this would be giving the public more now than they have with the current system. So it may not be as loosening up as you were thinking.

Mr. Sanford said in the Sheinberg Associate's Subport Development Plan, there is a good concept in that report about going up an extra story, providing a view plain of some sort.

Mr. Wanamaker had a question relating to process. If he understands it correctly, this plan is going to be continued to be worked on by the COW and guided by the WDC. Since it is going to be part of the Comprehensive Plan, doesn't it go before the Planning Commission first for their review and recommendation before the Assembly can approve it? Mr. Pernula replied that was true and they did review it and he believes they held a hearing on it and forwarded recommendations to the WDC. He will give Mr. Wanamaker a copy of it.
Mayor Botelho asked if we are dropping the reference to water taxies? Ms. J. Johnson answered that there was a divided opinion of the WDC as to keeping it in the Plan. She thinks that is something the COW or Assembly can weigh in on. Mr. Pernula said he thinks that a lot of people on the WDC thought it was impractical, however, the consultant who does waterfront plans all over the world thought it could be something that could be very viable here in Juneau. Mayor Botelho said he thinks it detracts from the credibility of the rest of the plan and not a likely event. There could be editing done, but thinks it should be dropped. Mr. Sanford suggested doing away with the criteria's. Mr. Ridgeway agreed. Ms. J. Johnson said to make it more general and cleaner we should delete the last two sentences on page 63 of the Plan, entitled "Water Taxi System."

Page 15 of Plan - Write a new description for Jacobsen Trust Dock, which is now referred to as the AJ Dock.

Page 24 of Plan, 2nd column, 2nd bullet - Rewrite last sentence, refer to quieter technology instead of quieter planes. We did not purchase quieter planes.

Page 53 of Plan, right side of page, Area D sketches move closer to "Section 3.5 Area D: Franklin Street Corridor."

All references in Plan to Jacobsen Trust Dock will be changed to the AJ Dock.

Ms. Pierce said after the changes have been formally adopted we will transmit them to the consultant and put on him the task of finding all the global changes we have made where they appear in the document.

Mayor Botelho asked if we should plan on closing out Areas A, D, E & F that are covered tonight? Ms. J. Johnson and Mr. Powell agreed it should be done.

Table 8, NT11 - fix wording under description

Mr. Sanford asked if under MT15 the dollar amount was correct? Ms. Pierce said one would characterize all these numbers as guesstimates at this juncture, especially in the MT range since it is so far out there. There may be a more accurate number based on some previous studies. We could look at that. It was suggested to change the project name from "Centennial Hall Expansion" to possibly "Civic Center Facility Expansion."

Mr. Sanford asked if we want a list or paragraph in here of what this committee did in all the meetings that we had? Ms. Pierce said it is already a part of the process.

Ms. Pierce noted that the WDC at it's last meeting asked Staff to rework basically the last two paragraphs of the Plan on Page 71, which talk about implementation and management. Since the WDC hasn't met yet again, we will bring the section rewritten to you. Basically we will talk about the WDC as the standing committee that would be the oversight committee. So this can come back to you at the COW at the next meeting. It was Ms. J. Johnson's understanding that the WDC would meet prior to the tentative COW/WDC meeting on 9/15.

Mr. Wanamaker said he has personally not heard from the public regarding their input. Has their been public dialogue, etc. or have they just not had that much interest after a certain point? Ms. J. Johnson replied that the attendance has been light at the WDC meetings. Have taken public testimony at two of the meetings. There was a lot of public involvement in the development of this Plan. There should be more public involvement at the next meeting when we go over the Cruise ship docks. Mr. Powell said there was all kinds of interest initially and didn't think the public maintained its' excitement for months on end. When we did ask them to pay attention they did and he didn't think this was a small issue with the public.
Waterfront Development Seaward of Mean High Tide

Mr. Pernula stated that it has recently come to our attention that there may be some significant FEMA Flood Insurance Program restrictions concerning our community's waterfront development plan. All of our downtown waterfront is located in mapped velocity flood zones. What is not permitted seaward of the mean high tide is any habitable structures. We took that to mean places where people lived. FEMA has a more strict interpretation of that. They said if you start permitting structures seaward of the mean high tide, it could jeopardize our participation in the program. We continue to have dialog with them to see if we can come to some alternate arrangement. Many of the buildings shown in the Long-Range Waterfront Plan and many of those that are existing along our waterfront are built beyond the reach of the mean high tide.

Community Development Department is exploring the Conditional Letter of Map Revision (CLOMR) process for individual projects, possible remapping the velocity flood zones in downtown Juneau, and other methods of dealing with the issue suggested by FEMA. The CLOMR process is likely to be lengthy and remapping will require additional study and time. More recent suggestion of possibilities from FEMA is they are looking at the whole Southeast area to see how the velocity flood zones should perhaps be modified because it is a different situation than many of the other areas that they deal with. However, Mr. Pernula thinks we should go forward with the Long Range Waterfront Plan as written with respect to development seaward of the mean high tide.

Mr. Powell asked what's the timeframe for remapping downtown and valley? Do we have a request in right now? Mr. Chaney replied that we have been requesting every year since he has started working here, to get our velocity flood maps updated. Those we have are inconsistent and not very well done. We are bound by these federal regulations which are all based on maps that are officially adopted by FEMA. We have had some very close communications with them lately. Debbie Key, FEMA, who is quoted in Mr. Pernula's memo, speaks fairly extensively about our current situation. She has come up here and they have done a walk through along our waterfront and explained our situation was, but unfortunately this is a federal insurance program. They are interested in public safety, but primarily they are interested in minimizing their loss or exposure for floodplains. They apply the same rules to Alaska as they do for example the Gulf coast where there are routinely hurricanes. Our region is very different from the other coastal communities. So they are talking right now about using Juneau as a specific study area to change the national regulations. That is the last communication Mr. Chaney received, but it is not official. They are working with the contractor to set up a program. He has no idea how long this would take.

Mr. Chaney said it does not affect our ability to build a seawalk, docks, or any structures that are directly related to any marine activity. We can still build the fish processing plant beyond the reach of mean high tide. This issue will not derail the whole plan; it's only bad for a few things, but overall it doesn't derail the whole plan. In Juneau, since we are part of the National Insurance Flood Program, which we are the only active participant in Southeast Alaska, we have been told that if we do permit residential or commercial buildings beyond the reach of mean high tide, the community could lose its flood insurance rating and we could be suspended from the program. This means that nobody within the flood zone could get federally insured mortgage loans. Mr. Pernula pointed out that not all the coastal areas are in the velocity flood zone.

Ms. J. Johnson mentioned who are on the Waterfront Development Committee, because the public members could not be here tonight. Don Etheridge represents the Harbor Board, Jeff Wilson represents the Parks & Recreation Advisory Board, and Johan Dybdahl represents the Planning Commission. Merrill Sanford, David Stone, Stan Ridgeway and Jeannie Johnson represent the Assembly. Mr. Powell thanked them for their service.
Committee Action: Mayor Botelho moved to close out areas A, D, E, and F, with the recommendations and corrections made to these areas and forward them to the Assembly.

Mr. Powell asked if there were questions or comments on the motion. He still has concerns about the building height. He believes it affects the areas that we want to close out.

Mayor Botelho added to the motion that the topic of height standards will be discussed further at the next meeting.

Hearing no objections, so approved.

Joint WDC/COW tentatively scheduled for September 15th at 5pm, unless we can find a date prior to that where we can get everyone present before Mr. Powell and Mr. Ridgeway leave town on September 14th. We need the other bit of information from NWCA to the WDC, so that they can bring a recommendation to the COW. It was suggested to replace the Land's Committee and Human Resource Committee meetings on September 13th 5pm, with the COW/WDC meeting. Ms. Pierce will check to see if those Committee's would be willing to cancel.

IV. Adjournment - 6:22pm