

APPROVED MINUTES

Agenda

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Mandy Cole, Chair

November 12, 2024

I. LAND ACKNOWLEDGEMENT – Read by Ms. Keller

We would like to acknowledge that the City and Borough of Juneau is on Tlingit land, and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

II. ROLL CALL

Mandy Cole, Chair, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in Assembly Chambers of the Municipal Building, virtually via Zoom Webinar, and telephonically, to order at 7 p.m.

Commissioners present: Commissioners present in Chambers – Mandy Cole, Chair; Erik Pedersen, Vice Chair; Travis Arndt, Clerk; Matthew Bell, Assistant Clerk; Adam Brown; Nina Keller; Jessalynn Rintala, Lacey Derr

Commissioners present via video conferencing – None

Commissioners absent: David Epstein and Erik Pedersen

Staff present: Jill Lawhorne, CDD Director

Assembly members:

III. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA

IV. APPROVAL OF MINUTES

A. October 8, 2024 Draft Minutes, Regular Planning Commission

MOTION: *by Mr. Arndt to approve the October 8, 2024 Planning Commission Regular Meeting minutes.*

V. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

VII. ITEMS FOR RECONSIDERATION

VIII. CONSENT AGENDA

USE2024 0013: Conditional Use Permit for a self-serve pet grooming kiosk.
Applicant: Adam Brown
Location: 9000 Glacier Highway

Mr. Brown recused himself on USE2024 0013.

Director's Report

The applicant requests a Conditional Use Permit (CUP) for a portable, self-serve, pet grooming kiosk of approximately 168 sq located within a Light Commercial (LC) zoning district. The kiosk will be located in the Jordan Square parking lot. It will be 100% self-serving, with no on-site employees or drive through.

The permit would allow the development of pet grooming, walking and dog daycare services in a LC zone.

According to CBJ Table of Permissible Uses, 49.25.12.250 – “grooming” is an allowable use which requires planning commission approval via a conditional use permit.

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the Conditional Use Permit USE2024 0013.

MOTION: *by Mr. Arndt to accept staff's findings, analysis, and recommendations, and approve USE2024 0013.*

USE2024 0016: Riverside Baptist Church Expansion.
Applicant: Riverside Baptist Church
Location: 4395 Riverside Drive

Director's Report

The applicant requests to add a 3,956 square foot addition to an existing 3,574 square foot church facility.

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and approve Conditional Use Permit USE2024 0016 with conditions.

MOTION: *by Mr. Arndt to accept staff's findings, analysis, and recommendations, and approve USE2024 0016.*

PWP2024 0004: Parking Waiver Permit.
Applicant: Thomas Fletcher
Location: 529 Kennedy Street

Director's Report

The applicant requests a Parking Waiver to waive one (1) parking space required for an accessory apartment on a substandard lot in a D5 zoning district.

This application relates to USE2024 0017.

Staff Recommendation

Staff recommends the Planning Commission adopt Director's analysis and findings and APPROVE the requested Parking Waiver.

MOTION: *by Mr. Arndt to accept staff's findings, analysis, and recommendations, and approve PWP2024 0004.*

USE2024 0017: Accessory Apartment on an undersized lot.
Applicant: Thomas Fletcher
Location: 529 Kennedy Street

Director's Report

The applicant requests a Conditional Use Permit to construct a 600 square foot accessory apartment on the ground level of an existing single-family dwelling in a D5 zoning district on Starr Hill.

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit.

MOTION: *by Mr. Arndt to accept staff's findings, analysis, and recommendations, and approve USE2024 0017.*

IX. UNFINISHED BUSINESS

X. REGULAR AGENDA

USE2024 0016: Riverside Baptist Church Expansion.
Applicant: Riverside Baptist Church

Location: 4395 Riverside Drive

Director's Report

The applicant requests to add a 3,956 square foot addition to an existing 3,574 square foot church facility.

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and approve Conditional Use Permit USE2024 0016 with conditions.

Chair Cole called for public testimony.

Paul Sprenger, applicant, gave public comment on the item. He discussed the condition that stated in order to get a building permit, the church would be required to remove a chain link fence. He suggested a rewording of that condition. He noted that the issue in the report said the fence was out of compliance by being too close to a stream, as it was estimated to be 47 feet away from the mean high water mark, as it is required to be 50 feet. It was noted that was an estimate, as they could not find the high water mark. However, the church has measured it and found it to be largely in compliance, with the exception of a fence post being too close perhaps. He said they would be happy to relocate the fence post instead of moving the entire fence. He suggested rewording the condition to say any areas of the chain link fence found to be out of compliance with that setback be relocated. Mr. Sprenger explained that the fence was put up as a safety measure, as they have many children at their church and want to keep them away from the water.

Mr. Arndt stated that relocating the fence post sounds like a very good solution. He asked if it matters to the church if it is relocated prior to the issuance of the building permit or prior to the issuance of the certificate of occupancy.

Mr. Springer expressed they would rather have it before the issuance of occupancy, as they are already in a tight timeline to get their building permit.

Chair Cole asked if they understood from CDD where the setback is and what would have to be moved. And if they do understand that, do they dispute any of those areas?

Mr. Sprenger stated he does not dispute anything that is in the report, but would love clarification on where the high water mark line is.

There was no public testimony.

Mr. Arndt asked staff if they can verify that the fence is outside of the setback or move it.

Director Lawhorne stated certificate of occupancy is not her preferred timing, and a building permit is better for the applicants. She said they have already moved a few things off site that

were noncompliant. She expressed that if the Commission changed it, she would prefer at least TCO but nothing more than that, as there would be nothing to hold them to.

Chair Cole expressed she has less concern about requiring it before the building permit and more concern about the potential dispute of where the 50 foot setback is.

Director Lawhorne said they should have answer soon, as Army Corps has been out there taking ordinary high water marks all along the river.

Chair Cole noted that CDD determines the high water mark and the 50 foot setback.

Director Lawhorne apologized and said she did not know why the certified floodplain manager for CDD could not measure that, but they can figure that out moving forward.

Mr. Arndt asked if there was any other permit they would have needed if they were located outside of the zone in regard to the fence.

Director Lawhorne responded it would depend on the height of the fence or other setbacks, but as long as everything else is cared for, they should be okay.

Ms. Keller asked for an explanation on the packet stating the fence may negatively affect the ability to apply mitigation techniques.

Director Lawhorne believed that was speaking to the Army Corps and the CBJ's work with the barriers or any other type of mitigation that may be applied for glacial flood outbursts.

Chair Cole pointed out that Mr. Sprenger mentioned that time was an issue and they can change it to relocate any areas of the fence that are out of compliance with the setbacks, but the setback has to be determined by CDD. She said they could potentially make that amendment.

Ms. Keller stated that since time seems to be of the essence, would the applicant be willing to move ahead with moving the fence to move forward.

Mr. Arndt voiced that the timing would get taken care of if they go to the director's TCO, as it gives them time to build the project and push it to next summer when the City would have the Army Corp's delineation of the ordinary high water mark. He stated if they change the condition to something about verifying that it is outside of the setback prior to the issuance of the TCO that would probably cover the church's comment and the city's.

MOTION: *by Mr. Arndt to accept staff's findings, analysis, and recommendations, and approve USE2024 0016 with following modified conditions:*

- 1. Rewrite condition number one to say, "Prior to the issuance of the temporary certificate of occupancy, the chain link fence must conform to the required stream side setback."*

The motion passed with no objection.

XI. OTHER BUSINESS

XII. STAFF REPORTS

Director Hawthorne stated she will try to have the Rules of Order ready for the 10th. She gave a reminder that the Assembly Retreat is December 7th. She also noted the Planning Commission's Liaison, Assembly Member Woll, is attending the Army Corps public forum tonight. She expressed the comprehensive plan was put out for RFP and they received a couple responses back. The Committee will meet soon to review and score those. Blueprint Downtown Juneau is moving to the Assembly and they are working with Steering Committee, and they are pushing hard to wrap it up before February with the hope to kick off the comp plan around that time. She mentioned there is a community meeting tomorrow with a lot of property owners that were impacted by the flood in the valley, and the Army Corps is doing a session on Thursday.

Chair Cole discussed the South Douglas West Juneau Steering Committee has two open seats on it. They are hoping for applicants in the next couple weeks and will confirm new appointments to that committee on the 10th.

XIII. COMMITTEE REPORTS

Chair Cole stated that the Advisory Committee for the Title 49 rewrite met for the first time in late October and will meet again on November 13th, at noon, which is open to the public. She believed ADUs might be on the agenda for the 13th to review.

XIV. LIAISON REPORTS

XV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

The applicant for the Riverside Baptist Permit asked to pull the Conditional Use Permit for Riverside Baptist from the Consent Agenda to make an amendment to it.

MOTION: *by Mr. Arndt to accept immediate reconsideration of the second vote on the Consent Agenda.. The motion passed with a vote of 7-0.*

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

XVII. EXECUTIVE SESSION

XVIII. ADJOURNMENT

The November 12, 2024 Planning Commission Meeting was adjourned at 7:38 p.m.