



REGULAR PLANNING COMMISSION AGENDA

January 28, 2025 at 6:00 PM

Assembly Chambers/Zoom Webinar

<https://juneau.zoom.us/j/85421744892> or 1-253-215-8782 Webinar ID: 854 2174 4892

A. LAND ACKNOWLEDGEMENT

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!

B. ROLL CALL

C. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA

D. APPROVAL OF MINUTES

- [1.](#) August 13, 2024 Draft Minutes Regular Planning Commission
- [2.](#) November 12, 2024 Draft Minutes Regular Planning Commission
- [3.](#) December 10, 2024 Draft Minutes Regular Planning Commission

E. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION

F. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

G. ITEMS FOR RECONSIDERATION

H. CONSENT AGENDA

I. UNFINISHED BUSINESS

J. REGULAR AGENDA

K. OTHER BUSINESS

4. Downtown Douglas/West Juneau (DD/WJ) Area Plan Steering Committee Appointment
- [5.](#) Community Development Department Presentation & Overview
- [6.](#) Planning Commission Important Topics & Training

L. STAFF REPORTS

M. COMMITTEE REPORTS

N. LIAISON REPORT

O. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

P. PLANNING COMMISSION COMMENTS AND QUESTIONS

Q. EXECUTIVE SESSION

R. SUPPLEMENTAL MATERIALS

S. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.gov.

DRAFT MINUTES

Agenda

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Mandy Cole, Chair

August 13, 2024

I. LAND ACKNOWLEDGEMENT – Read by Chair Cole.

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 7:00 p.m.

Commissioners present: Commissioners present in Chambers – Mandy Cole, Chair; Erik Pedersen, Vice Chair; Travis Arndt, Clerk; Nina Keller; David Epstein, Jessalynn Rintala, Lacey Derr

Commissioners present via video conferencing – None

Commissioners absent: Matthew Bell, Assistant Clerk; Adam Brown

Staff present: Jill Lawhorne, CDD Director; Irene Gallion, Senior Planner; Ilsa Lund, Planner I; Daniele Gaucher, CDD Administrative Officer; Kevin Allen, Meeting Clerk

Staff present via video conferencing – Sherri Layne, Attorney III

Assembly members: Paul Kelly

III. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA - No changes or comments.

- IV. **APPROVAL OF MINUTES** - No minutes.
- V. **BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION** - by Chair Cole.
- VI. **PUBLIC PARTICIPATION ON NON-AGENDA ITEMS- None.**
- VII. **ITEMS FOR RECONSIDERATION** – None.
- VIII. **CONSENT AGENDA**

USE2024 0014: Conditional Use Permit for an additional two-story structure providing 10,200 square feet for warehousing, retail and restaurant use.
Applicant: Kristel Liska
Location: Jensine Street

Director’s Report

The proposed structure is in addition to the existing coffee cart on Jensine Street, which received a conditional use permit in 2013. The proposed structure would enhance current coffee service with an 1,800 square foot café and provide 1,800 square feet of retail space for relocation of the applicant’s snow sports business. 6,600 of warehousing would support multiple businesses owned by the applicant.

Staff Recommendation

Staff recommends approval with conditions.

MOTION: *by Mr. Arndt to accept staff’s findings, analysis, and recommendations, and approve USE2024 0014.*

The motion passed with no objection.

USE2024 0015: Conditional Use Permit for 51 Single-Room Occupancy units with private facilities.
Applicant: Gastineau Human Services
Location: Aisek Street

Director’s Report

The Applicant proposes a residential building consisting of 51 Single-Room Occupancy units with private facilities on a 5-acre lot in a General Commercial zone. A Single-Room Occupancy with private facilities is defined in CBJ 49.80 as a dwelling unit composed of a private bathroom and a combined kitchen, living, and sleeping area, designed for occupancy by a single person. This development is designed for individuals experiencing a combination of income disparities, recovery, and reentry challenges. This is Phase I of a multi-phase development.

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE Conditional Use Permit USE2024 0015 with the requested conditions stated in the Staff Report.

MOTION: *by Mr. Arndt to accept staff's findings, analysis, and recommendations, and approve USE2024 0015.*

The motion passed with no objection.

IX. UNFINISHED BUSINESS- None.

X. REGULAR AGENDA

PAD2024 0002: Disposal of CBJ property for future utility access.
Applicant: City & Borough of Juneau
Location: Auke Rec Bypass Road

Director's Report

The applicant requests a Property Disposal Review for approximately one acre from a 151-acre CBJ parcel creating an easement to CBJ land. This property is located outside of the sewer service boundary. This property also does not have water service as service out the road is located south of their property, on Auke Rec Bypass Road. The applicant's property is served by municipal water. If this application is approved there is an opportunity for an access and utility easement to provide municipal drinking water to the remaining CBJ parcel. Access to Municipal Drinking water would help facilitate development of the remaining CBJ property.

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and approve Property Acquisition and Disposal, No. PAD2024 0002.

Mr. Arndt asked about the mention of only one parcel in the packet, but two in the appendix.

Ms. Lawhorne referred the question to the CBJ applicant.

Mr. Epstein expressed confusion on the background information, stating the applicant submitted an application requesting to purchase one acre of CBJ property, but on a different page it says the applicant wants to dispose of an acre. He also noted background information states the property does not have water service, but in another location, it states the property is served by municipal water.

Chair Cole explained Mr. Bleidorn is the CBJ applicant before them, but there is also an applicant to purchase a piece of CBJ property.

Mr. Peterson asked if the intent of the one-acre land disposal is to be consolidated with an existing property or if it is to become one parcel or lot.

Ms. Lawhorne referred the question to the CBJ applicant.

Mr. Bleidorn, CBJ applicant, addressed the applicant/applicant question. An adjacent property owner applied to acquire city property from CBJ. While reviewing the application, Mr. Bleidorn learned the municipal drinking water runs through Old Glacier Highway. Access to water is blocked by privately-owned land. The application includes an easement across private property to provide water service to CBJ land. The Lands Committee reviewed and accepted it. He explained that the Assembly is very keen on housing, and they have tasked with him to work on applications to rezone several city properties, including this rural reserve property, to D3 in movement towards future development. Mr. Bleidorn also addressed the two lots question, stating he believed that was a typo.

Mr. Arndt inquired about what property the easement would go through.

Mr. Bleidorn answered that they would plat an easement through both the applicant's existing property and the piece they are disposing of.

Ms. Keller asked if the applicant would have to go through one of the private properties in order to get any utilities.

Mr. Bleidorn explained the municipal water runs through the old Glacier Highway, which is lined with houses right now, and has no public access point to bring utilities up to the city property. He said they met with the City Engineering Department and some members of CDD to try and figure out what it would take to get utilities by extension along the Auke Rec Bypass. It would be very costly. It became apparent that the easement is an opportunity for CBJ to get a utility line without having to create a loop or construct additional infrastructure that must be maintained.

Mr. Pedersen noted the route proposed through the purchaser's current property does not seem to be fully shown and does not connect to the right of way in the packet. He asked if there would have to be some configuration for that.

Mr. Bleidorn explained the diagram showing the route. Glacier Highway has a wide right-of-way, which fronts the southeast corner of the Applicant's property.

Mr. Arndt asked if he sees any issues coming up from the lot line adjustment subdivision portion if they dispose of the lot.

Ms. Lawhorne responded no.

Mr. Peterson said they could condition or suggest to the Assembly that the process used to dispose of the property would be a lot line adjustment or could pursue obtaining the easement as part of the sale.

Ms. Keller agreed and said they should make lot line adjustment part of the motion and stick with the original proposer instead of opening it up for further proposals. She proposed to add language that the access and utility easement will be included.

Chair Cole asked if there had been any other interest from adjacent neighbors in purchasing the lot.

Ms. Lawhorne answered not to her knowledge.

MOTION: *by Mr. Pedersen that the Planning Commission adopt the Director’s analysis and findings and forward a recommendation of approval to the CBJ Assembly for the disposal of a portion of Parcel Number 8B3401000100 to the original proposer. The Planning Commission additionally recommends obtaining the proposed utility easement as part of the negotiated land sale.*

The motion passed with no objection.

XI. OTHER BUSINESS- None.

XII. STAFF REPORTS

Ms. Lawhorne reported that they filled the Planner I position. Ms. Lawhorne informed the Commission that emails seemed to have been hacked and the hackers used the Commission’s agenda and maybe the Assembly’s agenda. She asked the Commission to pass the word.

XIII. COMMITTEE REPORTS

Mr. Epstein reported that he attended the Public Works Facility Committee meeting last week before the flood. He said they discussed the installation of the check valves that were completed just a couple weeks before the event, and after seeing pictures of the incident he wonders if the check valves worked as intended. He will follow up on that at the next meeting.

XIV. LIAISON REPORTS

Mr. Kelly reported the Assembly has had two special meetings since they last met, where they declared the local emergency. The Assembly also gave staff direction to draft an ordinance to extend the zero-parking area to include the Telephone Hill area.

Mr. Arndt said they were told Mr. Dumoshel would be doing revisions, so he is confused why he is saying it is going to staff instead of to Mr. Dumoshel.

Ms. Lawhorne explained that as they have been working on the redevelopment of Telephone Hill, they brought the place guide for Telephone Hill to ask for direction on an RFI and expand the no parking required area to include Telephone Hill at the Lands Committee. She stated it is an ordinance limited to changing the boundaries of the area with little writing involved.

Chair Cole stated the Assembly slightly changed the boundary on the first no parking ordinance they forwarded, and it did not come back to them before it was adopted. She said this would be similar to that since they are changing the boundary at the ordinance level and not looking for input from the Planning Commission.

Ms. Lawhorne voiced that she understands that because it had already gone through the Commission through the Staff's analysis and would be staying at the Assembly level to expand it to include Telephone Hill.

Mr. Pedersen asked what the general purpose of the emergency declaration is.

Mr. Kelly explained the emergency declaration gives emergency powers to city managers and the ability to elevate emergency response to the State level.

XV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS- None.

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

Mr. Epstein wondered how their comprehensive plan may take into consideration the recent tragic flooding event and if their consultant would take that into consideration.

Ms. Lawhorne answered that the comprehensive plan should touch on all matter of disasters and should have those discussion when working with the public during the outreach process.

Chair Cole mentioned the memo put before them about potentially designating certain review to CDD rather than to the Commission for existing phase development, including the Ridgeview Development. That topic is intended for the next agenda for discussion. The Commission is anticipating a late night in October when they hear eight rezones.

Ms. Lawhorne clarified they are not booking any other cases that evening.

Ms. Keller asked what happened to the discussion on an earlier starting time.

Chair Cole responded that she thinks there was enough opposition on that to not push it forward.

Mr. Pedersen commented that they discussed it and decided not to move it forward, but there are other items they may need to bring up in governance. He would like to get the meeting on the books, but it is not the right time yet.

Mr. Epstein asked for consideration to start early for the late-night October meeting.

Chair Cole voiced they would start at 6 p.m. for that night.

XVII. EXECUTIVE SESSION – None.

XVIII. ADJOURNMENT

The August 13, 2024 Planning Commission Meeting was adjourned at 8:00 p.m.

DRAFT 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.

DRAFT MINUTES

Agenda

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Mandy Cole, Chair

December 10, 2024

I. LAND ACKNOWLEDGEMENT – Read by Mr. Arndt

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!

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

Commissioners absent: Jessalynn Rintala

Staff present: Irene Gallion, Senior Planner; Daniele Gaucher, CDD Administrative Officer; Madeline Carse, CDD Administrative Assistant; Jason Larson, Planner II; Jolene Murphy, Planner

Assembly members: Christine Woll

III. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA

IV. APPROVAL OF MINUTES

A. October 22, 2024 Draft Minutes, Regular Planning Commission

MOTION: *by Mr. Brown ... to approve the October 22, 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 0018: The applicant is proposing to open a 463 sq. ft. marijuana retail store at 5690 Glacier Hwy Unit 19.

Applicant: The Mason Jar

Location: 5690 Glacier Highway

Director’s Report

The applicant requests approval for a Conditional Use Permit to convert the small retail space of a large commercial building into a Marijuana Retail Store of approximately 493 sq ft. It will be in Unit 19, in the front portion of R&S Rental’s storage unit building, which was originally designed and operated as a “Subway” sandwich store in 2009. It is located at 5690 Glacier Hwy which is a General Commercial zone district.

The permit would allow for marijuana sales between the hours of 8:00 am and 11:00 pm and would operate under state and local requirements, respectively.

Staff Recommendation

Staff recommends the Planning Commission adopt the Director’s analysis and findings and approve Conditional Use Permit USE2024 0018.

MOTION: *by Mr. Arndt to accept staff’s findings, analysis, and recommendations, and approve USE2024 0018.*

USE2024 0019: Applicant requests a Conditional Use Permit to remodel an existing garage into a 219 square foot accessory apartment in a D1 zoning district.

Applicant: Galen Lamphere-Englund

Location: 20136 Cohen Drive

Director’s Report

The applicant requests a Conditional Use Permit for an existing 219 square foot detached garage to be converted into an accessory apartment. This property is certified nonconforming for lot size and the addition of the accessory apartment will not aggravate the nonconforming situation.

Staff Recommendation

Staff recommends the Planning Commission adopt the Directors analysis and findings and APPROVE Conditional Use Permit USE2024 0019.

MOTION: *by Mr. Arndt to accept staff's findings, analysis, and recommendations, and approve USE2024 0019.*

IX. UNFINISHED BUSINESS

X. REGULAR AGENDA

XI. OTHER BUSINESS

2025 Proposed PC Meeting Dates

MOTION: *by Mr. Arndt to approve the 2025 Proposed Planning Commission Meetings Dates as listed.*

Draft Rules of Order for Discussion

The Planning Commission discussed changing the meeting time to 6 p.m.

Mr. Brown was a proponent of the later start time, especially in the summer season to take advantage of the season that they get. He suggested a seasonal time change, where in the summer they start at 7, but in the winter stay at 6.

Chair Cole and Mr. Pedersen had no preference.

Ms. Derr, Ms. Keller, and Mr. Epstein were in favor of an earlier start time.

Chair Cole asked what everyone thought about the seasonal time change.

Mr. Epstein asked what would be considered seasonal.

Chair Cole responded probably May to September. She added that she does have some hesitation moving it to 6, as some people agreed to serve at 7 due to work schedules.

Ms. Keller suggested that if they know they have a full agenda, they could start the meeting earlier.

Chair Cole expressed that is difficult because of the notice they have to give. She said the only drawback about the seasonal is making sure the public knows, but they could publish that.

Ms. Keller asked suggested a compromise of 6:30.

Mr. Bell supported the idea of doing seasonal start times as long as they give proper notice to the public.

Mr. Pedersen wondered if it would be prudent to just say the regular meetings shall start between 6 and 7 p.m., so they can change the start date without having to revise the rules of the order.

Ms. Gallion expressed that she does not have a position on this and staff can work with whatever they decide.

Mr. Arndt suggested striking it, as it does not matter what the rules say about the time and does not really need to be in the rules.

Chair Cole responded that she understood that, but thought they probably should have some framework within the Governance Rules. She said from what she has heard so far, it feels like the best compromise is to amend the meeting rules that the regular meetings shall begin between 6 and 7 p.m., the second and fourth Tuesdays of each month and that it would be publicized which part of the year we are in.

The Commission agreed on that.

The next strikeout pertains to, "If any member reaches three unexcused absences from regular, special, or committee meetings in one calendar year, the director will notify the Assembly Human Resources Committee."

The next edit was where they struck the word "follows" and say, "as necessary" and got rid of the specific Wetlands Review Board.

She moved to Rule 9 (3), where it states, "The applicant or applicant's representative will have an opportunity to present information regarding a request and respond to initial Commission's questions. Applicant must notify the CDD administrative staff if they wish to participate remotely and must provide their username." Chair Cole stated she believed the old rules noted that applicants must be here in person, and they

changed it to allow the applicant to present remotely if they gave staff a heads up first. She asked if that was correct.

Mr. Arndt stated that he did not remember them not being able to testify remotely, but there was always confusion of if they were not in the room.

Mr. Pedersen added that he remembered that sometimes they did not know if the applicant was present, and decided it would be more helpful if Staff knew if the applicant was participating remotely so they could bring them on when it is time.

Chair Cole asked if everyone was okay with letting people know that if they have not notified CDD staff that they cannot participate remotely, even if they are on Zoom to participate.

Mr. Epstein asked if there was a deadline by which they have to notify staff.

Chair Cole stated it does not appear there is one, and there probably should be.

Mr. Arndt shared that he did not know if a deadline mattered and suggested just doing it up until the start of the meeting.

Chair Cole asked Ms. Gallion if staff had any feelings about that.

Ms. Gallion responded that for the most part, they make sure the applicant knows how to participate and ask them how they are going to participate, so she is not sure what the impetus was for this.

Chair Cole voiced that if they leave it as written, the interpretation will be that the applicant can notify CDD anytime up until the beginning of the meeting.

The Commission agreed on that.

The next strikeout is on Rule 9 (f), "Except in accordance with Rule 17, remote participation by an applicant or member of the public is not permitted." She explained that they struck that, as they would treat these are truly hybrid meetings and anyone can choose to be online and still present.

The next edit is to Rule 11, the written and illustrative materials. She said the main idea behind this rule is that they all have to be looking at the same thing to make a decision. She expressed amendments were made to change that the original staff report should be published by close of business from 8 days to 6 days before the hearing and the director may extend the publishing deadline to close of business six days before the hearing. The next edit was that the director in consultation with the Chair can extend the timely material deadline to noon the day before the hearing if necessary. She said they were just trying to give the public enough time to submit materials if they did not know the item was on the agenda. The last edit on the page, stated, "Must provide 15 copies of the written material and email the material to the Chair no later than 8 a.m. the day of the hearing for distribution to the Commission."

Mr. Arndt commented that bringing in 15 copies is more difficult than it sounds, especially if CDD makes a change right at the end. He said that makes it difficult for people online and he does not know a solution for that. He pointed out that it used to say email CDD, but now it says the Chair.

Chair Cole believed the idea was that CDD staff felt that they did not know if they would be able to email to all of the commissioners who would be remote, so they were thinking that if they can send something to the Chair prior to the meeting, the Chair could send materials to everyone.

Mr. Arndt voiced it is also an Open Meetings issue.

Chair Cole agreed that was a good point and they need to ask Ms. Layne (ph) about that.

Mr. Brown asked if CDD could take a picture and make it a screenshot to display.

Chair Cole said that would depend on how long the materials are.

Mr. Pedersen added he was not sure how to bypass the Open Meetings issue.

Chair Cole stated that the main question is if they want people to be able to submit materials at the meeting, and if they do, they have to have an electronic copy so they can make a decision with everyone having the same information.

Mr. Arndt pointed out the limit on pages is two single cited pages. He suggested screenshotting two pictures and share it on the screen during the hearing.

Chair Cole asked if the onus should be on the person bringing the material or staff to do the sharing.

Mr. Arndt added that is what this is for, is accommodating the public.

Mr. Brown suggested that if they want to have a deadline, it could be at the start of the meeting so they would have a few minutes to get that set up while they are doing other parts of the meeting.

Chair Cole said then they would not have to have the email material to the Chair, but could say any written material will be shared via Zoom with all commissioners.

Mr. Arndt suggested just saying it will be shared instead of listing the way it is going to be shared.

Mr. Pedersen agreed that as long as they provide the 15 paper copies and bring an electronic version of materials for the presentation to the members that would suffice.

Chair Cole asked if they need an electronic version if the idea is for the Chair or staff to take a picture and share it with CDD staff to put up.

Mr. Pedersen stated that the person providing the material could take a picture of the document and provide it to staff before the meeting if needed.

Ms. Gallion noted that one thing to keep in mind is what the materials are that are being looked at. She said that if they are posting two typed written pages, the value of having that on Zoom may be dubious opposed to a PowerPoint. They also need to consider that there will be some inertia associated with it, depending on what programs they are able to use.

Chair Cole voiced that they were trying to keep it as low tech as possible.

Ms. Gallion added that if they can have it by 8, they can post it on the internet and people can go to the webpage to see the document.

Ms. Keller asked about putting a scanner into the room and make a PDF of it to put on the screen.

Ms. Gallion expressed there is a process and it is not CDD's decision, but the Commission would have to express interest in something like that.

Ms. Derr commented that she would feel more comfortable leaving it with an 8 a.m. deadline to give them the ability to distribute it the way it should be.

Mr. Brown stated this is a two-part problem, which is CDD sometimes makes changes last minute and they need additional time for that, so if they make the deadline 8 a.m., they also have to have a deadline to get information to the applicant.

Chair Cole said it felt like there was a compelling reason to allow the public some grace in bringing in materials if needed.

Mr. Arndt asked about directing one of the cameras to shine down on extra documents to show it.

Ms. Keller expressed that it is very easy to make a document into an electronic format so they should be able to pull that off.

Chair Cole voiced that they should say "and email the material to the Chair prior to the hearing". She said ultimately if they have it available she thinks they can get it out.

Mr. Arndt asked specifically what wording changes would be made. He asked if they are striking out the no later than 8 a.m. the day of the hearing.

Chair Cole answered yes.

Mr. Epstein asked if there was a limit on the amount.

Chair Cole responded that it says no more than two single sided printed pages of information are allowed to be submitted at the hearing.

Ms. Keller asked what happens if they do not have a deadline and the Chair gets it 15 minutes before the meeting.

Chair Cole said she would be able to check it on her laptop or phone.

Mr. Epstein asked if the applicant does not provide the 15 copies, but emails the Chair, would it be inadmissible.

Chair Cole responded yes.

Ms. Keller commented that she is struggling on why this has to go through the Chair when there is technical support here.

Chair Cole responded that the discussion was that staff's capacity is limited, so they wanted to accommodate staff's request to not put more technical change it later.

Mr. Epstein said that for him, if an applicant comes in 10 minutes before the meeting with 15 copies, it will be difficult to instantaneously digest that material. He asked if the Chair would give the Commission a certain amount of time to review if that happens.

Chair Cole stated that any member of the Commission can request an at ease in order to digest the material, but often times it is pictures.

Mr. Arndt voiced that if it stays with the email, they need to post that whoever is running the meeting to be sent the information instead of the Chair, because sometimes the Chair is out.

Chair Cole asked if there was any objection to change the line to "15 copies of written and illustrative material and provide an electronic copy of that material to the Chair of that specific meeting to be shared electronically with the remote Commission".

There was no objection.

The next strikeout on Page 10 (c), is changing, "shall endeavor to" to "will". She explained that this means that if someone will be remote for the meeting, they need to tell them by the day before or morning of.

There was no objection to that.

Chair Cole stated that on (M) it states, “as used in these rules, remote means any system for synchronous to a voice communication or video conferencing technology. Members of the Commission participate remotely with video and sound technology. If the member of the Commission cannot participate with both video and sound technology, the member may not participate as a voting member.” She said the theory behind this is that they don’t like blank squares. There have also been plenty of times where people have spotty internet service and have to turn the camera off to preserve bandwidth. She asked the Commission if they wanted to keep it as written, where it states that if a commissioner cannot be seen by video, they cannot vote.

Ms. Keller commented they should be able to vote, even if they have to turn on video just for the vote.

Chair Cole said they have tried all of those things. She expressed that as the Chair, she does not want to preside over a meeting where a commissioner is just telephonic the entire time. She added that the public is allowed to be telephonic only, but they specified in the rule that the Commission has to participate with video and sound.

Mr. Brown commented that it says, “two-way voice communication, e.g. telephone or video conferencing.”

Mr. Bell said there have been a couple times recently where he had a problem with his internet and staff said his vote would not count if they could not see him in person, and that is difficult to do when they are in the emergency room with someone. He added that it is very well defined in the rule on two-way voice communication.

Chair Cole noted they have to determine whether they all feel comfortable participating in a meeting where a commissioner participates telephonically without video. She added that they do allow the public to participate that way, but they have not intended to allow commissioners to attend only telephonically. She added that when they went over this prior when Mr. Levine was the Chair, the understanding was that if you are going to participate as a voting member, you had to have video and sound.

Ms. Derr said a few months ago she got a new laptop and got onto Zoom and the camera would not connect, but she could still use the raise hand function and be an

active member. She expressed it would have been a bummer to not be able to participate. She understood the preference to have video and audio, but did not agree to remove a member's ability to vote if they can't have video. She added that she hopes they could be as flexible with the panel members as they are with the public.

Mr. Epstein stated that in his experience with other Boards or at work, he has not noticed them requiring everyone to turn a camera on. He did not think it was a hinderance to the operation of the Commission to participate by voice only.

Chair Cole commented that her preference is strong for a camera, because they are charged with making decisions in front of the public about public matters and it does help to understand that someone is putting their full attention to what is in front of them, and that is hard to tell without being able to see them. However, she does understand there are sometimes technical difficulties.

Mr. Arndt stated that he can see why they want video instead of just telephonically, but does not recall it being detrimental before. He noted that it may increase absences. He said that if a Commissioner is somewhere with spotty service, they may decide not to participate in the meeting if they cannot vote.

Chair Cole voiced she can be comfortable with a strong preference as long as technology allows, and trusts everyone moving forward with their best intentions. She changed it to "Members of the Commission shall endeavor to participate remotely with both video and sound technology."

MOTION: *by Mr. Brown to accept changes to the current Governance Rules for the Planning Commission, including the changes in the draft here and the amendments made.*

Appointment of two members to the Douglas West Juneau Steering Committee

Ms. Gallion gave an overview of the process of appointment members to the Steering Committee for the Downtown Douglas West Juneau Area Plan.

Mr. Arndt noted one of the applicants mentioned only being able to do it the meetings are on Zoom. He asked if they meet in person or Zoom.

Mr. Pedersen stated that this particular steering committee met on Zoom for a long time with COVID, but now the meetings are generally in person without the ability for Zoom.

Ms. Gallion confirmed with staff earlier that they will have Zoom capability at all steering committee meetings from here on out.

Ms. Derr stated that she respects needing to go hybrid occasionally for conflict issues, but when she applied for a public board, she planned to be there in person to represent to the public, and that is important.

Mr. Brown agreed with Mr. Pedersen and Ms. Derr.

Chair Cole expressed that she appreciated all the candidates and their willingness. She added that there are so many opportunities to be involved in these projects with this Board and CBJ, and encouraged people to apply for those positions if interested.

MOTION: *by Mr. Pedersen to appoint Brian Lieb and Darron Snyder to the Douglas West Juneau Steering Committee.*

Ms. Gallion stated that staff is asking for confirmation on who the commission liaison is for Downtown Douglas West Juneau Steering Commission.

Chair Cole answered that it is Mr. Pedersen, but his term is up at this end of the month, so that may be changing in the new year.

XII. STAFF REPORTS

Ms. Gallion introduced new staff. She pointed out two pieces of correspondence that were in the packet, including the Alaska Department of Transportation and Public Facilities providing training on design for pedestrian safety, and correspondence from Ms. Tonja Moser (ph) expressing concerns with current code on subdivision. She stated they had fraudulent emails that went to the applicants today saying they have to pay \$15,000 in fees today or their case will not be heard tonight.

XIII. COMMITTEE REPORTS

XIV. LIAISON REPORTS

XV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

Mr. Epstein wished everyone a Merry Christmas, Happy New Year, and Happy Hanukkah.

Chair Cole noted that this is Mr. Arndt's last meeting, as his term is up. She thanked him and said they are losing some longevity, experience, and wisdom with his leaving.

Mr. Arndt stated that it has been fun, he has learned a lot, and has worked with a lot of great commissioners and staff.

Chair Cole stated that they did read Ms. Moser's comment and she brought up good points, and there is a vehicle to make changes as Title 49 is being rewritten. She encouraged her to send those comments to Mr. Dumouchel (ph) at CBJ.

XVII. EXECUTIVE SESSION

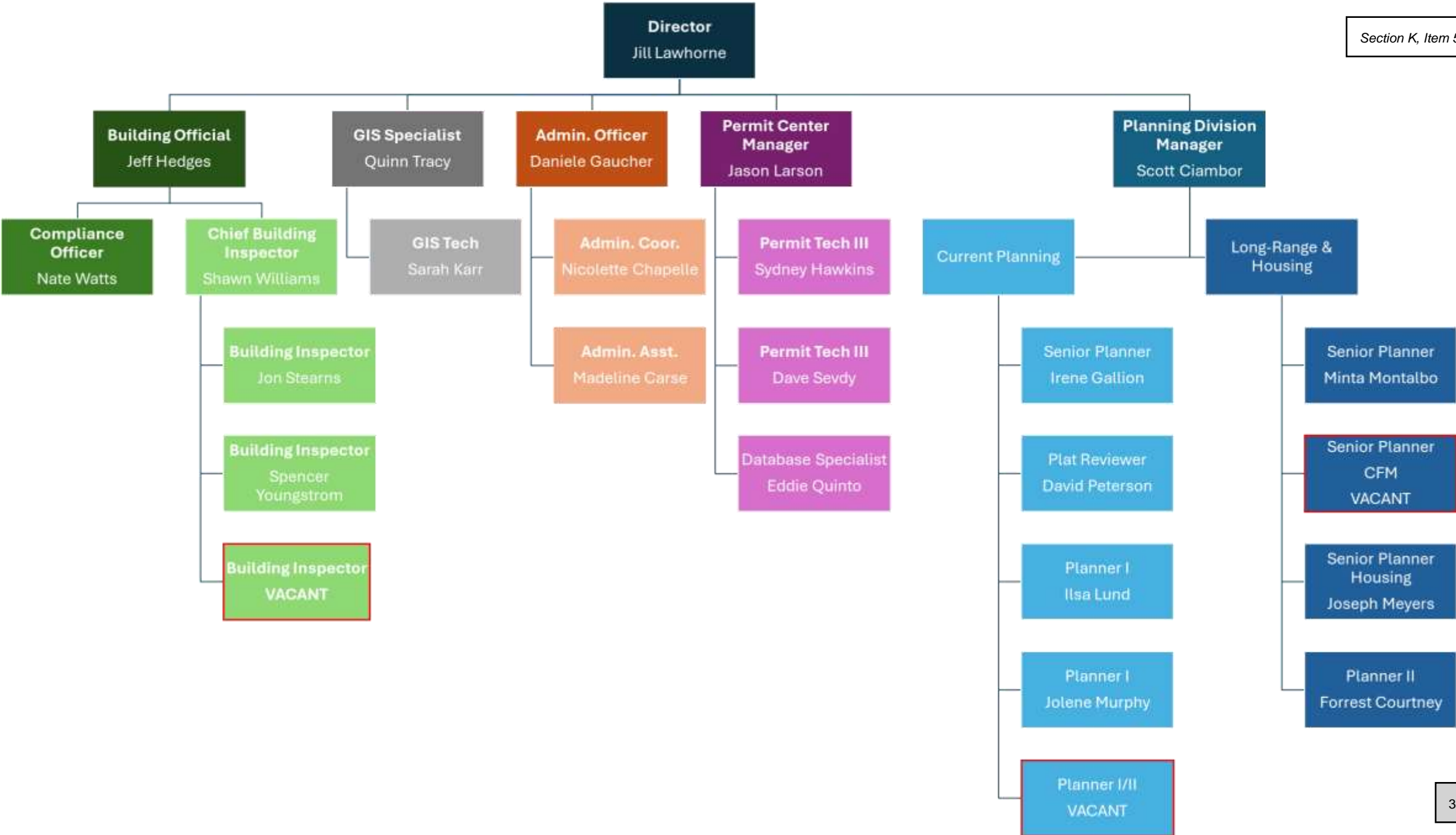
XVIII. ADJOURNMENT

The December 10, 2024 Planning Commission Meeting was adjourned at 8:20 p.m.

COMMUNITY DEVELOPMENT

*Fostering excellence in
development for this
generation and the next.*





Community Development Department PLANNING DIVISION

Section K, Item 5.



Short-term Planning
(case review,
building permits,
re-zones)



Long-term Planning
(Comprehensive
Plan, small area
plans)



Housing Programs
(Juneau Affordable
Housing Fund, ADU
grants,
manufactured home
loans, tax
abatement review,
HUD environmental
review)



**Community
Development Grant
Programs** (CDBG,
JCTC, CLG)



Flood (permitting,
FEMA
grants/studies)

Planning Commission's Role in Housing

Section K, Item 5.



COMPREHENSIVE
PLAN



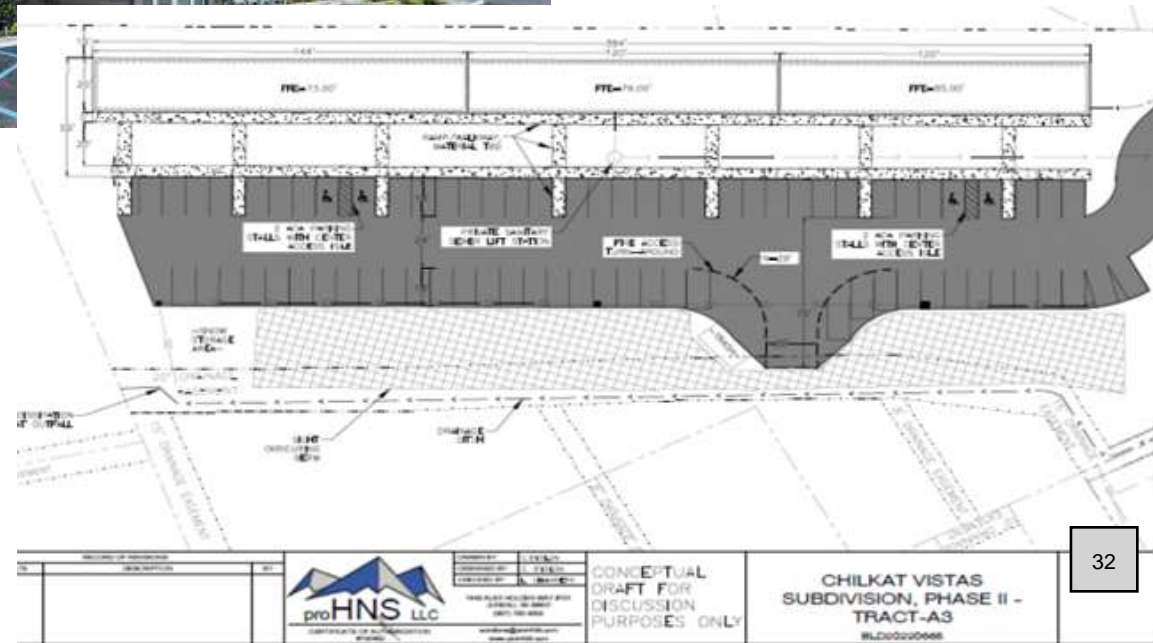
TITLE 49 LAND
USE CODE



CASE REVIEW



COMMUNICATION
WITH THE
ASSEMBLY



Housing Action Plan



"If the community desires and values a healthy housing market it must spend its own resources, uphold policies that encourage housing development, create housing, and streamline permitting".

CBJ EFFORTS TO REMOVE OBSTACLES TO Housing

Section K, Item 5.

Housing Action Plan

- Adopt the Housing Action Plan
- Grow the Juneau Affordable Housing Fund
- Grow the supply and diversity of housing
- Preserve existing affordable housing
- Create dedicated position focusing on housing
- Develop new policies with a specific housing link for CBJ-owned lands
- Update CBJ zoning regulations to have specific housing links
- Develop a specific strategy for Downtown that has explicit housing elements

Currently Underway

- Comprehensive Plan, *South Douglas / West Juneau Area Plan*; *Blueprint Downtown Juneau (adopted)*
- Juneau Affordable Housing Fund, Round Four
- Title 49 Rewrite (Phase 1 Wave 1)
- CBJ Lands Division Rezone Initiative
- Telephone Hill Property Management and Redevelopment Master Plan
- Pederson Hill Development
- Tyler Tech permitting software and Questica budget software
- Short-Term Rental Taskforce



Area Median Income

HUD DATASET RELEASED IN SPRING

INCOME LIMITS (INDIVIDUAL) & RENTAL LIMITS (PROJECT, DEVELOPER)

AFFORDABLE HOUSING (80% AMI AND BELOW)

WORKFORCE OR MIDDLE-INCOME HOUSING (80% TO 120% AMI)

Assembly, Affordable Housing Commission, Housing Action Plan, and reports dating back to 1972 have identified needs in affordable



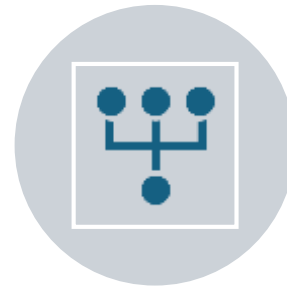
Community Development Department

BUILDING DIVISION

Section K, Item 5.



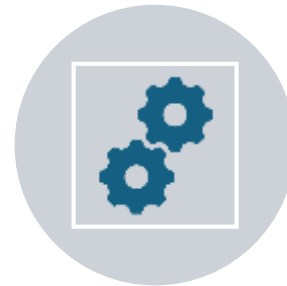
Plan review
(architectural,
structural, plumbing,
mechanical, electrical,
accessibility)



Inspections (same
elements as above)



Educate (inform
contractors and
homeowners about
building codes and
upcoming changes and how
they can be met)



**Title 19 Code update to
the 2024 Code cycle
bringing us into
alignment with State and
national standards.**

Community Development Department

ADMINISTRATION DIVISION

Section K, Item 5.

GIS Team

- Analyzing changes in the imagery in the Mendenhall River due to Glacial Outburst Floods (GLOFs)
- Ensuring data for E911 services is update to date and accurate for a quick response time
- Converting the CBJ Water Division data from paper maps to digital maps
- Updating the Wastewater Division data
- Completing map requests for other CBJ departments: Lands, P&R, CCFR, etc.
- Data collection for trails, water, and sewer assets

Community Development Department

ADMINISTRATION DIVISION

Section K, Item 5.

Administrative Team

- Prepares and manages budget, training, and meeting coordination
- Provides support to the public – general inquiries, public records requests
- Staffs the Planning Commission and other committees
- Assists with the overall organization and implementation of CDD initiatives

CBJ Permit Center Hub



The CBJ Permit Center Hub (PCH) is the core of Community Development and processes most permits and inspections for the CBJ.

We service CDD, EPW, CCFR, P&R, JPD, and State and Federal agencies...and the general public.

CBJ Permit Center Hub

The PCH staff of four (4) processes several different types of permits, both for residential and commercial projects. We also schedule inspections for almost every department within the CBJ. We also coordinates conferences for new business.

CBJ Permit Center Hub



We are geared up and working hard on becoming as effective and efficient as possible. This year, the PCH has three goals:



Provide outstanding customer service to our Citizens and CBJ staff.



Improve our processes, both administratively and at the counter, establishing standard operating procedures to ensure seamless integration with Tyler Tech.



Creating standard operating procedures and preparing the PCH as part of the EOC during natural disaster events.

Community Development Department & CBJ Permit Center Hub



Planning Commission Important Topics

courtesy of CBJ Law Department

Open Meetings Act,
Public Records Act
& Conflict of Interest

Open Meetings Act (OMA)

A.S. 29.20.020, A.S. 44.62.310, Charter 3.12(d)

- ❖ All meetings to be public – ensures deliberations and decisions of a board, committee, or commission are done in public.
- ❖ Public have an opportunity to comment at regular and special meetings
- ❖ Executive session (very limited on topics – mainly litigation related or other confidential item)

OMA - Best Practices

- ❖ Minimize private discussions, even during a break in the public meeting. 3 members max during a discussion.
- ❖ Do not group text message about meeting topics.
- ❖ Do not text more than two other members at a time. (for committees of less than 5, that number will be less)
Remember – you can talk to 2 others... but cannot play a game of “telephone” with other members about a topic.
- ❖ “Serial” meetings: Avoid using “reply all” in any email.
- ❖ Reasonable notice of meeting. - *24 hrs is absolute min.*

If you violate - cure by completely redoing any actions.

Public Records Act

- **A.S. 40.25.110, Charter 15.7, CBJ 01.70**
- Two big rules:
 - 1) Every person has the right to inspect public record unless an exception applies.
 - 2) Strong presumption in favor of disclosure

Applies to emails, texts, documents, even if on your personal devices (phones, ipads, computers, etc)

Conflict of Interest

You are a municipal officer – see **01.45.005 – 01.45.360**

You are prohibited from using your position to:

- ❖ Gain a benefit
- ❖ Secure employment or contracts
- ❖ **Take or withhold action if you have P/F interest**
- ❖ Use CBJ time or equipment for P/F interest
- ❖ **Vote or deliberate if you have a P/F interest**

Best Practice

- ❖ If in doubt, contact the attorney, before the meeting.
 - If you act consistent with attorney advice, then you are immune from personal liability - CBJ 01.45.145(b)
- ❖ Close calls: go ahead and disclose in meeting. The board can vote to determine if it is a conflict, wherein you would remove yourself from the table for those deliberations and discussions.
*(The chair can ask if there are any members that believe there is a conflict. **Note – these are the close calls, not the clear conflicts.**)*