

DRAFT MINUTES

Agenda

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Mandy Cole, Chair

April 8, 2025

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 6 p.m.

Commissioners present: Commissioners present in Chambers – Mandy Cole, Chair; Erik Pedersen, Vice Chair; Adam Brown, Nina Keller, Lacey Derr, Douglas Salik

Commissioners present via video conferencing – David Epstein

Commissioners absent: Jessalynn Rintala, Matthew Bell

Staff present: Jill Lawhorne, CDD Director; Irene Gallion, Senior Planner; Madeline Carse, CDD Administrative Assistant; Sherri Layne, Attorney III; Jolene Murphy, Planner I; Ilsa Lund, Planner I; Brandon Robinson, Planner II

Assembly members: None

III. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA

IV. APPROVAL OF MINUTES

A. March 11, 2025, Draft Minutes, Regular Planning Commission

MOTION: *by Mr. Salik to approve the March 11, 2025, Planning Commission Regular Meeting minutes. The motion passed.*

V. **BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION**

VI. **PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**

VII. **ITEMS FOR RECONSIDERATION**

VIII. **CONSENT AGENDA**

USE2025 0005 and USE2025 0008 were pulled and moved to the regular agenda.

IX. **UNFINISHED BUSINESS**

X. **REGULAR AGENDA**

USE2025 0005: Conditional Use Permit Modification for Vintage Park Condos.
Applicant: Mary Adelmeyer
Location: 3005 Clinton Drive

Director's Report

The applicant, on behalf of the Vintage Park Condominiums Homeowners Association, has submitted a request to amend an existing Conditional Use Permit (USE2018 0007) to reduce the number of exterior parking spaces by one (1).

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and approve Conditional Use Permit USE2025 0005 with one condition.

Ms. Derr asked who maintains Clinton Drive.

Director Lawhorne responded she believes Clinton Drive is a CBJ street and maintained by CBJ.

Ms. Derr asked if the signs that were removed and put back up that stated no parking between 1 a.m. to 7 a.m. would apply year-round and be enforced by Juneau Police Department.

Director Lawhorne responded she did not know who removed them and why, but if it is posted she believes JPD can enforce it, providing they have the capacity to do so.

Shawn Carey, with the Board of the Condo Association, explained they are trying to bring the parking back in line with the original declarations and convenance, which allows for two equal

spaces in front of each physical unit, so every owner can park in front of the unit they own, and it leaves no chance for blocking someone in or out. He was not sure why the developers added those guest spaces, and he noted that they also had a two hour limit.

Ms. Derr stated that on January 24, 2024, the Planning Commission heard a case where there were five received public comments from both the Condo Association and unit owners that were opposed to Dominos not having a certain parking spot, stating that the condo was in competition for parking spaces. She asked what has changed since then that would accommodate the reduction of one parking space.

Mr. Carey responded that the concern was not about the parking within their parking lot, but with the congestion on the road, especially during the summer, due to other condos next to them, overflow from new food carts, and the larger general use of the area.

Mr. Epstein asked where the guest parking is.

Mr. Carey explained each building had two designated guest spaces in addition to two smaller spaces for each owner. There are 23 units, so there were 46 parking spaces and two handicapped already in place. He stated that the guest spaces were in front of each of building and did not really get used, but would overlap and block some of the owners cars.

Ms. Derr asked if they were aware or had communicated to the condo owners about the replacement of the signage between 1 a.m. and 7 a.m. stating they would not be able to park on the street. She also inquired if he saw those impacting homeowners there.

Mr. Carey answered that he thinks it will have an impact on people that park on the street on a permanent basis, but that is an issue between the condo owners and the City. He noted the first time he heard there was that restriction was this last week, but he believes those signs were up before the developers started the project and they must have removed them. He added that having extra spaces inside of their parking lot would not fix that problem, as owners were not allowed to park in guest spaces and owners are still only allowed two spaces per unit.

Chair Cole opened public testimony. There was no public testimony.

Mr. Carey thanked the Commission for the opportunity and said they have been trying to get this changed for quite a while.

Chair Cole expressed the math on the memo is difficult to follow. She asked why the minimum parking requirement for the development changed from 40 spaces to no fewer than 49 spaces.

Director Lawhorne responded that the zoning district allows for certain small businesses that could occur in the units so they required more than the minimum.

Chair Cole asked for clarification that they are only asking for a reduction to 48, which is still 8 spaces over the requirement in code.

Director Lawhorne answered that this is correct. She added that there are usually 2 ½ spaces in front of these units, so if someone parks in the second or third space, they would be halfway

blocking the next unit's garage door and blocking their parking spaces.

MOTION: *by Ms. Derr to accept staff's findings, analysis, and recommendations, and approve USE2025 0005. The motion passed.*

USE2025 0008: Conditional Use Permit for a Childcare Center in a residential zoning district.

Applicant: Carolina Sekona

Location: 3200 Mendenhall Loop Road

Director's Report

The applicant requests a Conditional Use Permit to operate a childcare center out of four rooms in a CBJ owned building formerly used as a middle school.

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and approve Conditional Use Permit USE2025 0008 with one condition.

Chair Cole asked for clarification that Ms. Sekona has the permission of the City, who owns the building, in order to apply for this CUP.

Director Lawhorne clarified that is correct.

Carolina Sekona, applicant and owner of Glacier Valley Kids, explained that she previously had childcare at her home on Emily Way, but it completely flooded. She was given the opportunity to start the childcare again out of Floyd Dryden on an emergency license 10 days after the floods. She expressed she is currently there and operating at full capacity and wishes to expand to a childcare center. She shared that the center will accommodate 42 families, and she has 22 spaces already spoken for. She asked for permission to use some of the empty rooms for the childcare center. She shared she was not aware that the City leased the entire building to Tlingit & Haida until after she started this initial process, but has been in contact with them about a lease.

Chair Cole asked the commissioners for any questions.

Ms. Derr asked Ms. Sekona if she rents her space.

Ms. Sekona answered no.

Ms. Derr inquired if she was looking at paying rent for her space.

Ms. Sekona responded yes.

Chair Cole asked if there were any parameters on the emergency approval process on length of time, and why is she asking for this now.

Ms. Sekona explained that the State of Alaska licensed her for three months and then asked when she would be able to return to her home. She said her home is not done, so she cannot rebuild the home and bring back the daycare there yet. She asked for an extension for the license at

Floyd and they granted that for as long as the City wants her there.

Chair Cole inquired if the City has given her any parameters.

Ms. Sekona expressed she did not know where she is standing right now, as she just received that email about the building being rented out to the tribes.

Chair Cole opened public testimony.

Chelsea Cushing (ph), Valley resident, explained she is one of the families on the waitlist for this daycare, as they have a 9-month-old and have struggled trying to find childcare. She stated that a facility like this is extremely necessary in Juneau, and the space is being setup and looks beautiful, as Ms. Sekona is putting a lot of work into it.

Mr. Alvarez, Lemon Creek resident, voiced that he and his wife moved here from California and do not have family here so they need childcare. He shared that they have been on waitlists for other daycares and even gone through unlicensed daycares, which is stressful. They did a tour of Ms. Sekona's facility and it felt like exactly what they needed, and Ms. Sekona was very honest and upfront with them about everything that is going on. He emphasized how important it is for places like this for families like his.

Chair Cole asked if there were any questions for Staff.

Ms. Derr voiced that in their additional materials, there is a memo from April 4th, that says efforts to contact Tlingit & Haida for comment or clarification have not been returned. She felt for Ms. Sekona going through this process and not having an answer. She asked Staff if they had any feedback from them on if they are willing to allow Ms. Sekona to provide this childcare center.

Chair Cole responded she understands that the Commission issued a CUP for Tlingit & Haida's use of the building, according to the site plan, that was submitted with their CUP application on February 25th. She said the site plan indicates that Tlingit & Haida intends to use a good portion of the building and CBJ and Parks and Rec intend to use the gym and a small part of the building as designated on the site plan, but there is a third designation on the site plan that says UAS and Auke Lake Preschool. She believes that the CBJ and Parks and Rec spaces and the UAS Auke Lake Preschool were excluded from the CUP they entered.

Ms. Lane stated that they did have a conversation and the site plan shows what they anticipated doing, but ultimately the CUP was approved for up to 60,000 square feet, which could potentially be the whole building. She said there is no lease yet, though, so they do not know if it is going to match the site plan or take up more space.

Chair Cole asked for clarification that they cannot issue a CUP in competition with an existing CUP for the same space.

Ms. Lane answered yes, there cannot be overlapping CUPs, so it is difficult because the site plan shows one thing but the actual CUP allows them greater use than that.

Chair Cole asked why Staff recommended that they issue this CUP.

Director Lawhorne responded that in this particular instance, the question of if there can be two CUPs for the same property could be answered as it depends. She noted that she recalls one in the past where there were two for the same property. She said they have been trying to work with all of the flood victims and on childcare, so they have allowed multiple uses of the space, but now it is coming to the end of the emergency timing and they need people to get in and have the proper permitting and licensing. She explained that they have two different parties applying for Floyd Dryden to have childcare, but she believes that if the applicant wants to proceed and the Commission agrees, that they could approve this for the limited space the applicant has applied for, as regardless of the use permit, they both still require leases with CBJ. She said that if one does not happen or happens differently, hopefully nothing would change their permit, and they could work out the differences through the leases. However, if both conditional use permits are approved by the Commission and next month the Assembly decides to lease only to Tlingit & Haida, then the permit is void because they cannot pull the other permits needed to activate it without a lease. She added that, there is nothing to say that Tlingit & Haida could not sublease.

Ms. Lane stated that the recommendation for approval is still fine for that space, but there is always the possibility that there is going to be space available, and the City is not going to lease them both the exact same space, so they could have the CUP but not get the lease. However, they cannot get a lease without a CUP.

Mr. Pedersen voiced that this use seems somewhat irrelevant if it is already approved to be a daycare facility. He asked for insight on that.

Ms. Lane explained if someone has a conditional use permit for a business and someone buys that business, they can transfer the CUP. She said it is always going to depend on the use or if there is going to be a change or not.

Ms. Keller asked if Tlingit & Haida have a CUP for up to 60,000, are they promised 60,000 or could the City make a decision and say this small portion is not available but they could have the rest.

Ms. Lane responded that is what is complicating the situation right now, as the City can decide to lease whatever amount of square feet they would like, and there is no lease yet. The City has not made a decision on how much space they are leasing, so it could be up to 60,000 or nothing.

Ms. Keller asked for clarification that the 60,000 is not promised.

Ms. Lane answered that is correct.

Director Lawhorne understood the recommendation strongly coming out of the Lands Housing & Economic Development Committee to the Assembly is to direct the city manager and attorney to draft an ordinance for introduction that would authorize the lease of up to 60,000 square feet of Floyd Dryden to Tlingit & Haida early education. The second motion directed the city manager to draft an ordinance authorizing an Assembly grant to Tlingit & Haida early education for the purposes of tenant improvements to be issued concurrently with any potential lease.

Ms. Lane added there are no promises or guarantees of that.

Mr. Brown said the sheet they were given says 55,925. He asked if they know the total square footage of Floyd Dryden that is going to be unused or possibly leased.

Director Lawhorne answered that she is not sure of the exact total but there was a portion of the building also reserved for Parks and Rec for community uses.

Chair Cole shared that she did not like this. She said if they issue this CUP for the specific square feet requested, there is no current conflict with what has already been issued in terms of a CUP and they have no ability to weigh in on what the lease may look like or who the partners on the lease would be, but can say there is no conflict and the use is compatible with the land code.

Ms. Lane commented they do not know what the up to 60,000 means or includes, so that lends more credence to the fact that there is no conflict if they grant the CUP.

MOTION: *by Ms. Keller to accept staff's findings, analysis, and recommendations, and approve USE2025 0008. The motion passed.*

USE2025 0004:	Conditional Use Permit to construct 30 single-family homes on a 3.81-acre lot.
Applicant:	Harris Homes LLC
Location:	Glacier Highway

Director's Report

The applicant requests a Conditional Use Permit USE2025 0004 for construction of 30-38 single-family detached dwellings. The 3.81 acres provided allow for a multi-family residential density of up to 38 units. The applicant has identified adequate parking, snow storage and drainage sites on included site plans. The property will be connected to city water and sewer. Access from Glacier Highway will be provided by a new privately maintained driveway that is currently in review by DOT & PF.

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and approve Conditional Use Permit USE2025 0004 with the stated conditions.

Ms. Derr asked if they have heard back from DOT.

Director Lawhorne answered that she believes the applicant has spoken with DOT and know they need a driveway permit, and DOT may have requirements attached to the driveway permit, but per the land use code, a traffic impact analysis is not required, as it falls in the 250 to 500 range.

Chair Cole asked why DOT is reviewing the driveway.

Director Lawhorne responded that DOT has authority over the permitting off of Glacier Highway, as it is a DOT maintained road, but it is through the land use code, traffic impact analysis, and her authority, regardless of the authority of the road. She understands that they will be working with the applicant, but it is not due to environmental concerns.

Mr. Pedersen noticed that the number of units varies, as the front page states 30 single family housing units, the second page says the applicant proposed construction of up to 38, and then there are 33 on the site plan.

Chair Cole added that the recommendation says allow development of 30 to 38.

Director Lawhorne answered that she believes the proposal is a typo, and her intent had been to make them all up to 38 dwellings.

Chair Cole thought it said that the site allows for up to 38, but the applicant went with 30 to avoid a secondary fire access or approved automatic sprinkler system requirement.

Ms. Derr commented that in the packet it is highlighted for mobile home parks. She asked if this is considered a mobile home park.

Director Lawhorne responded that is part of the preapplication conference report and may have been information they covered before the applicant actually applied for a development, so that may have flagged information that may have been of interest when looking at the site.

Mr. Pedersen asked if the applicant decides to construct 38 dwellings units after receiving the CUP, and the site plan has to be significantly altered to accommodate those units, would they have to come back to the Commission. He inquired if they are approving the site plan as is or blanket approving the property for 38 units.

Director Lawhorne explained that if they go up over the fire code, it would likely significantly change it unless sprinklers were allowed, but she does not know the fire code well enough to speak on it. She said it would depend on what they were doing.

Chair Cole called upon the applicant.

Richard Harris, with Harris Homes, stated that originally, they proposed 33 units with the zoning being up to 38. He said it was brought up that they would need to install the second driveway access, so they decided to go with the 30, and it was determined that if they put in sprinkler systems, they could eliminate the second access. He voiced it is a good project and the land lays out nicely for it, and he thinks it will fit in well.

Chair Cole asked for questions for the applicant.

Mr. Pedersen voiced that in the site plan it shows the drainage is going into an existing drainage system, but he did not see much detail as to how the impervious areas, roofs, and paved areas were getting to it. He asked for extra information on that.

Mr. Harris responded that he will leave that to the engineers to design and figure out the best scenario to plan for that, but he is sure they will meet the requirements to make that happen.

Ms. Derr asked if they have given thought to the ingress and egress onto Glacier Highway and how that might be impacted, as it is a high flow area. She also asked if there is a plan to make a turnoff for the subdivision.

Mr. Harris answered that it is being discussed with DOT, but they have not gotten any further with that as far as he is aware. He said they will come up with the best design.

Chris Bydlon, engineer with PRO HS, shed some light on the DOT permit and process for the driveway. He stated DOT is dealing with a couple of concerns in the permitting process, including an existing driveway for the adjacent house with a fairly steep slope off of the road. Therefore, one of the conditions they are looking at is requiring the applicant to install that driveway at DOT grade, which is 2% or less, which will raise the grade of the driveway. He stated that once the grade is raised to meet the DOT requirement, the guardrail that extends and wraps around the driveway will be too low for the new grade of the driveway, and will likely require reconstructing the end of the guard rail. He noted that is still in review right now and they do not have an actual permit yet, but those are the concerns that they have.

Mr. Epstein asked how many trips the development will generate in the peak hour.

Mr. Harris responded that he did not have that answer.

Chair Cole voiced that she saw in the packet that it was under 500.

Mr. Epstein stated that was total ADT, but DOT criteria for triggering a traffic impact analysis is if there are 100 trips generated in the peak hour either morning or evening, it triggers a TIA.

Director Lawhorne said that the email from DOT says the development is not large enough to legitimize a TIA or any special traffic flow mitigation and the access is going into departmental review and they will see what comes of that.

Chair Cole asked the applicant if he read the public comment that was submitted and included in their packet about the location of the driveway and road.

Mr. Harris answered yes, and understood it to be the same as the DOT issue and the safe access in and out of there.

Chair Cole asked if the applicant believes those concerns will be taken care of by the design that is required by DOT.

Mr. Harris said that is correct.

Chair Cole open public testimony.

John Hyde, 3130 Wilma, voiced that his concern is with traffic, as DOT is not correct in their assumption, because a lot more traffic goes through there. He explained that when a vehicle attempts to turn left into Wilma or into this project, people pass by on the right and there is no

shoulder or guardrail there, and they end up driving completely off the road and sometimes halfway into the walkway and bikeway and traveling at 50 to 55 mph. He shared that he has requested three times that DOT put a guardrail in there to keep that section of walkway safe and prevent people from passing on the right. He added that having 38 dwellings in there will have at least 100 cars and will create a big issue there, and that is not necessarily the traffic coming in and out of the development, but the traffic going up and down Glacier Highway. He said another problem is that there are a lot of very large vehicles going out or coming into the road there and there is no room.

Mr. Pedersen asked Mr. Hyde if he could think of any solutions that would alleviate this concern.

Mr. Hyde responded the number one solution would be the guardrail to prevent people from passing on the right, but his requests to DOT for that have been ignored.

Ms. Derr asked Mr. Hyde how he felt about roundabouts.

Mr. Hyde answered that would be a bad idea, as they are on top of a hill.

Chair Cole asked the applicant for any rebuttal or additional information.

The applicant did not have anything to add.

Director Lawhorne clarified that the average daily trips came from the ITE Trip Generation Manual, not DOT.

Mr. Epstein expressed that he ChatGPT'd peak hour trips for 38 single family dwelling units and it is 0.9, so it does not come close to 100, which is probably what triggered Mr. Schueller (ph) to make the comment he did.

Chair Cole commented that it seems like the problem is not necessarily the number of turners into the development but lack of a left turn lane, and that seems like a legitimate concern that is not in our purview.

Ms. Derr voiced that they have aging water infrastructure, and this is at the top of hill which means pumps. She asked if they have a plan to support this size addition to the area or if they see possible issues.

Director Lawhorne responded that those issues or concerns would be addressed through the building permit process and she has not heard of any of those concerns for this development.

Mr. Pedersen inquired if stormwater provided by this development is going to overload existing systems, and at what point would that be looked at by the City.

Director Lawhorne answered that would be more of general engineering and public works purview, and as it goes through the permitting process, they will take that into account and make sure that it meets code.

Mr. Pedersen asked for suggestions on the cleanest way to do this with the varying numbers within the packet, as he does not think they can choose 38 and condition it on a revised site plan going to CDD. He shared he is comfortable allowing the 33 units with the matching site plan, but wondered if there are any other ways to increase the number of units and approve this tonight.

Director Lawhorne responded that under project description, it states that secondary fire access or an approved automatic sprinkler system is required if more than 30 dwellings are constructed, so it may not trigger the secondary access if they are sprinkled.

Mr. Pedersen stated that he was looking at the site plan and trying to put five more units in his mind, as it seems like it would affect the parking circulation patterns and all the spaces and would look completely fundamentally different.

Mr. Brown said if they move towards sprinkling, it allows the units to be closer together because it changes the fire code, and so the layout probably wouldn't change much.

Chair Cole asked Mr. Brown if he would be comfortable saying up to 38 since that is what the underlying code allows and knowing that between 31 and 38, the sprinkler system or secondary access would have to be included.

Mr. Brown responded that he believes when CBJ reviews the building permits, they will kick in this over 30, and is not something we have to require, but he does not think the layout will change if you add units since there is more space in between these that is required.

Chair Cole inquired if he would want the applicant to come back if there is a substantial change.

Mr. Brown answered yes.

Ms. Derr asked if the Commission has approved a development of this size when they still had outstanding ingress and egress questions from DOT.

Director Lawhorne responded yes.

Chair Cole inquired about movement last night from the Assembly regarding rear setbacks and if that is in effect yet.

Director Lawhorne answered somewhat. She said that last night the Assembly voted to approve the Title 49, Phase 1, Wave 1, and made two revisions, including caretaker units being capped at 1000 square feet and only allowed in industrial zones, and that accessory dwelling units have a rear yard setback of 5 feet regardless of zoning as long as there is permissible use.

Mr. Salik commented that part of his examination was into Title 49 where it talked about open space. He said they are talking a difference in 38 to 30, and while there is parking there, it provides a little more open space. He noted that in Title 49 right now it is just reserved, but when driving through neighborhoods where there are three-bedrooms on a tight lot, the kids have no

yard to play in and are in the street, which causes other problems. He added that as they talked about Title 49 revision, he hopes they address open space.

Mr. Brown asked what the total coverage is that this subdivision is taking up of the portion of the lot. He inquired if 42% is the correct number.

Director Lawhorne answered that the lot coverage maximum proposed is 42% and they are allowed up to 50%, which is essentially anything with a roof.

[The Commission took a 5-minute at ease]

MOTION: *by Mr. Pedersen to accept staff's findings, analysis, and recommendations, and approve USE2025 0004. The permit would allow for the development of 30 to 33 detached single family dwellings in a D-10 zoning district with the conditions specified in the packet.*

Mr. Pedersen expressed that he is having trouble approving a development that has additional dwellings beyond what the site plan shows. He said if there were multiple options, he would not have those reservations and added that he is open to any discussion and/or amendments.

Ms. Keller agreed with Mr. Pedersen.

Mr. Brown voiced that he did not think they should restrict it to 33, as they are in need of housing and the land is available. He noted that the site plan would be reviewed by staff and if they thought it was a major difference than what the CUP approved, they would come back to the Commission. He supported using the property for the full potential.

Director Lawhorne called for a roll call vote. The motion passed 5-2.

XI. OTHER BUSINESS

XII. STAFF REPORTS

Director Lawhorne reported that permit software system migration is going well and is on schedule to be done in the fall, and they have begun to move people onto online applications. She said they have a permit tech out in front in the Permit Center Office now and are working with customers and encourage people to stop in. She stated the goal of the permit staff is to have the public used to this by the time they have the new system in place by the end of the year. She shared that Title 49 was approved, Phase 1, Wave 1, with those two changes, and will go in affect in 30 days if not appealed. She announced the comprehensive plan kickoff week is April 21st, and will include multiple listening sessions.

XIII. COMMITTEE REPORTS

Mr. Pedersen stated the Short-Term Rental Task Force has been moving along pretty good and they have gotten a lot of information and have had a lot of proposed solutions from members on the taskforce and community members. He expressed that the next step is developing a matrix that can propose difficult levels of proposed regulation.

XIV. LIAISON REPORTS

XV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

Chair Cole reminded the Commission that they have one more meeting starting at 6:00 p.m., and the first May meeting will be at 7:00 p.m.

XVII. EXECUTIVE SESSION

XVIII. ADJOURNMENT

The April 8, 2025 Planning Commission Meeting was adjourned at 7:43 p.m.