

DRAFT MINUTES

Agenda

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Michael LeVine, Chairman

September 27, 2022

I. LAND ACKNOWLEDGEMENT – Read by Commissioner Bell

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

Michael LeVine, Chairman, 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. Mr. LeVine announced Mr. Alper has resigned from the Commission.

Commissioners present: Commissioners present in Chambers – Michael LeVine, Chairman; Paul Voelckers, Vice Chair; Travis Arndt, Clerk; Dan Hickok, Deputy Clerk; Joshua Winchell; Erik Pedersen; Matthew Bell

Commissioners absent: Mandy Cole

Staff present: Jill Maclean, CDD Director; Teri Camery, CDD Senior Planner; Jennifer Shields, CDD Planner II; Chelsea Wallace, CDD Administrative Assistant; Lily Hagerup, CDD Administrative Assistant; Sherri Layne, Law Assistant Municipal Attorney

Assembly members: Alicia Hughes-Skandijs

III. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA – None

IV. APPROVAL OF MINUTES

A. August 23, 2022 Draft Minutes, Regular Planning Commission

MOTION: *by Mr. Arndt to approve the August 23, 2022 Planning Commission Regular Meeting minutes.*

V. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION – Chair LeVine gave a description of the rules for participating via hybrid zoom/in-person meeting

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS – None

VII. ITEMS FOR RECONSIDERATION – None

VIII. CONSENT AGENDA

SGE2022 0001: A Conditional Use Permit renewal for sand and gravel extractions, with blasting and rock crushing as accessory uses
Applicant: City & Borough of Juneau
Location: City & Borough of Juneau's North Lemon Creek Material Source

Staff Recommendation

Staff recommends that the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Sand and Gravel Extraction Permit. The permit would allow for sand and gravel extraction with blasting and rock crushing as accessory uses at CBJ's North Lemon Creek Material Source. The approval is subject to the following conditions:

1. The Extraction Permit shall expire fifteen years from the date of Planning Commission approval.
2. Hours of operation shall be 7 a.m. to 6:30 p.m. Monday through Friday, and 7 a.m. to 5 p.m. Saturday and Sunday.
3. Blasting operations shall be conducted during daylight hours between 9 a.m. and 5 p.m.
4. Blasting operations shall be prohibited on Saturdays, Sundays, and official Federal and State holidays.
5. Blasting and rock crushing shall be limited to the development of the access road.
6. Warning signs with the time and date of the blast shall be posted 24-hours prior to blasting on Anka Street and Davis Road.
7. Prior to blasting, 24-hour notice shall be provided to the Juneau Flight Station, CBJ Police Department and Fire Departments, and Alaska State Troopers.
8. Three air horn blasts will be made five minutes prior to blasting.
9. The 20-foot buffer that surrounds the property and a 20-foot buffer with a minimum of a five-foot berm on the Western project boundary shall be maintained for the life of the pit.

10. Seed mixes utilized for revegetation in restoration efforts shall be free from non-native, noxious weeds.
11. **MANDATORY CONDITION:** *A strip of land at the existing topographic level, and not less than 15 feet in width, shall be retained at the periphery of the site wherever the site abuts a public way. This periphery strip shall not be altered except as authorized for access points. This section does not alter the applicant's duty to maintain subjacent support.*
12. **MANDATORY CONDITION:** *If the bank of any extraction area within the permit area is above the high water line or water table, it shall be left upon termination of associated extraction operations with a slope no greater than the angle of repose for unconsolidated material of the kind composing it, or such other angle as the Commission may prescribe. If extraction operations cause ponding or retained water in the excavated area, the slope of the submerged working face shall not exceed a slope of 3:1 from the edge of the usual water line to a water depth of seven feet. This slope ratio may not be exceeded during extraction operations unless casual or easy access to the site is prevented by a fence, natural barriers, or both.*

MOTION: *by Mr. Pedersen to accept staff's findings, analysis, and recommendations, and approve SGE2022 0005.*

The motion passed with no objection.

IX. UNFINISHED BUSINESS - None

X. REGULAR AGENDA

Moved from Consent Agenda per Mr. Voelckers request

USE2022 0014: Two modifications of a Conditional Use Permit (USE2022 0005) for a cold weather emergency shelter at Resurrection Lutheran Church.
Modification #1: Newly proposed hours of 8:00 P.M. – 7:30 A.M. (current hours: 9:00 P.M. – 6:30 A.M.).
Modification #2: Newly proposed operation start date of October 15 (current start date is November 1).

Applicant: Resurrection Lutheran Church
Location: 740 W. Tenth Street

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit with the following modifications to Conditions 5 and 6, and all other conditions remaining the same:

1. Prior to the opening of the facility, smoke detectors must be installed in the sleeping area and in each of the shelter's restrooms.
2. Prior to the opening of the facility, an alarm must be installed on the emergency exit door in the shelter's sleeping area.
3. If new exterior lights are added to the church building, a lighting plan illustrating location and type of exterior light shall be provided to the Community Development Department.
4. Prior to the opening of the facility, exterior security cameras must be installed and functional.
5. The shelter facility's operating start time will not be before 8:00 P.M. and will end by 7:30 A.M. the next day.
6. The shelter facility can operate ~~from October 15 to~~ **UNTIL** May 1, **2024**.
7. When the shelter facility is operating, there must be a minimum of two (2) staff present at all times.
8. The shelter facility will provide a contact number to the surrounding neighbors that will be actively answered during operating hours. The intent of this condition is to provide a way for shelter staff to respond to issues as they arise in the area.
9. The permit will expire on June 1, 2024.

STAFF PRESENTATION by Director Maclean

APPLICANT PRESENTATION

Pastor Karen Perkins explained the reason of the permit was to cover the time period between when the campgrounds close and the shelter opening date. Additionally, they would like to alter the hours to coincide better with bus schedules as the morning bus is at 7:15 a.m.

QUESTIONS FOR APPLICANT

Mr. Voelckers recalled during the original permit process, the applicant had stated they did not plan to be in the shelter business on a long-term basis and asked if that has changed. Pastor Perkins explained they operated as a shelter over the last year because they saw a need that was not otherwise being filled in the community. They are not pursuing an alternative shelter as this is not part of their primary or long-term ministry. Mr. Voelckers asked whether there had been "scary" incidents affecting the neighborhood over the past year and if there were methods for communicating with the neighborhood. Pastor Perkins explained there is a phone number that is answered whenever the shelter is open. She added there have been no disruptive or damaging incidents.

Mr. Winchell asked if the staff had received training and, if they had, what sort of training was it and what the result was. Pastor Perkins said they have had extensive trainings regarding customer service, dealing with angry people and de-escalation. They are continuing with three hours of training each month.

Mr. Arndt asked if there was a purpose to the October 15 start date if the shelter opening was tied to the temperature falling below thirty-two degrees. Mr. LeVine added to this asking if they would be allowed to open early if the need arose or if they would be tied to October 15 by the contract. Pastor Perkins said they do not have an intention to open on October 15 but they would like to be able to if it was needed. Brad Perkins came forward and explained the contract is not tied to an opening date. They are prepared and can open as soon as needed. He added that because this is a fixed fee contract, it behooves them to only open when needed. Otherwise, it would be too costly for them to operate. He explained there are also challenges to obtaining enough food for the shelter as donations are down at the food bank.

Mr. Winchell asked if the recent weather events and floodings would be cause to open. Pastor Perkins said they could be. They have been in contact with the Red Cross and were told that anybody who has been displaced has found a place to stay already.

Mr. Arndt said he would like to remove the open date limitation but was concerned that this would allow the location to then become a long-term shelter and asked if that was a possibility. Pastor and Mr. Perkins explained that they have no intention of making that change. They cited the financial constraints and added they are not equipped to provide these services on an on-going basis.

COMMISSIONER DISCUSSION

Mr. Voelckers asked Director Maclean if she is aware of any CBJ conversations regarding a longer-term solution to this issue. She was not aware of any. She explained the Homeless programs are not part of her department, they are part of the Managers office.

MOTION: *by Mr. Winchell to accept staff's findings, analysis, and recommendations, and approve USE2022 0014.*

MOTION TO AMEND: *by Mr. Arndt to amend condition 6 to read "The shelter facility can operate until May 1, 2024"*

The motion to amend passed with no objection.

The amended motion passed with no objection.

XI. OTHER BUSINESS – None

XII. STAFF REPORTS

Director Maclean reported

- She will not attend the October 11 meeting. Mr. Ciambor will be there in her stead.
- On the October 11 agenda is an alternative residential subdivision for four hundred and forty units on Glacier Highway. This is a complicated case and she suggested the commissioners familiarize themselves ahead of time.
- Lands Committee met last night. They recommended a motion to begin the process of a land disposal.
- The hazard assessment mapping is online and available and was funded by a FEMA grant.

XIII. COMMITTEE REPORTS

Mr. Arndt reported Title 49 met last week and started work on Table of Dimensional Standards

Mr. Hickok asked how to get a Governance meeting scheduled. Mr. LeVine suggested he work with Ms. Wallace.

Mr. LeVine appointed Mr. Bell to the Governance Committees and named him liaison to the Wetlands Review Board. He further encouraged Mr. Bell to attend a Title 49 meeting.

XIV. LIAISON REPORTS

Ms. Hughes-Skandijs reported

- The landslide appears to have caused property but not personal damage.
- Committee of the Whole met and discussed a resolution that would limit the use of the accessory apartment grant to disallow grantees from using the apartment for short term rental use during the first three years.
- They approved using affordable housing funds for a loan to Gastineau Lodges LLC using their property as collateral.

She intends to work to get the assembly and PC together for a follow up to their joint meeting.

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

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

Mr. Winchell asked about opening PC meetings earlier so they could end earlier. Mr. LeVine suggested the governance committee would be a good place to begin the discussion.

XVII. EXECUTIVE SESSION – None

XVIII. ADJOURNMENT – 7:46 p.m.

Next regular meeting October 11, 7:00 p.m.