

DRAFT MINUTES

Agenda

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Erik Pedersen, Vice-Chair

March 12, 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!

II. ROLL CALL

Erik Pedersen, Vice 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 – Vice Chair, Erik Pedersen; Travis Arndt, Clerk; Assistant Clerk; Matthew Bell; Adam Brown; Nina Keller; David Epstein, Jessalynn Rintala, Lacey Derr

Commissioners present via video conferencing – None

Commissioners absent: Mandy Cole

Staff present: Jill Lawhorne, CDD Director; Irene Gallion, Senior Planner; Lily Hagerup, CDD Administrative Assistant; Nicolette Chappell, Administrative Coordinator; Sherri Layne, Law Assistant Municipal Attorney

Assembly members: Paul Kelly

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

IV. APPROVAL OF MINUTES

1. January 9, 2024, Committee of the Whole & Regular Planning Commission Draft Minutes

MOTION: *by Mr. Epstein to approve the January 9, 2024, Committee of the Whole & Regular Planning Commission Draft Minutes*

The motion passed with no objection.

2. February 27, 2024, Regular Planning Commission Draft Minutes

MOTION: *by Mr. Epstein to approve the February 27, 2024, Regular Planning Commission Draft Minutes*

The motion passed with no objection.

V. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION – By Mr. Pedersen

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

VII. ITEMS FOR RECONSIDERATION - None

VIII. CONSENT AGENDA

3. **USE2023 0019:** Conditional Use Permit application for marijuana retail, cultivation, and on-site consumption
Applicant: Casey Wilkins
Location: Glacier Highway

DIRECTOR'S REPORT

This application was previously approved under USE2021 0005, but the Notice of Decision has expired. This would be the first on-site consumption approved in Juneau. On-site consumption is an endorsement on the state marijuana retail license. The project is located in Industrial zoning, which is intended to accommodate operations that are noisy or have noxious smells.

STAFF REPORT

Staff recommends the Planning Commission adopt the Director's analysis and findings and approve Conditional Use Permit USE2023 0019 with the requested conditions.

MOTION: *by Mr. Arndt to accept staff's findings, analysis, and recommendations, and approve USE2023 0019.*

The motion passed with no objection.

IX. UNFINISHED BUSINESS - None

X. REGULAR AGENDA

4. **USE2024 0002:** Conditional Use Permit application for expansion of marijuana retail from approximately 430 square feet to 750 square feet.
Applicant: Northwind Architects, LLC
Location: Franklin Street

DIRECTOR'S REPORT – Director Lawhorne presented, This request is a modification of an existing approval for AK KUSH under USE2018 0006. This expansion results in the entire structure operating under state security and control regulations. The expanded retail area makes queuing on the sidewalk less likely. The structure crosses property lines, and staff is unable to determine if it encroaches. Conditions include lot consolidation and submission of an as-built.

STAFF RECOMMENDATION

Staff recommends the Planning Commission adopt the Director’s analysis and findings and approve USE2024 0002 with conditions.

APPLICANT PRESENTATION – Shannon Crossley, Northwind Architects, and Ms. Smith, applicant, presented the plan to expand the AK Kush retail space by removing an interior wall to open up the space. When AK Kush originally opened, Alaska marijuana retail laws required a ‘checkpoint’ for customers to present ID before entering an establishment. The wall was built to accommodate that and to separate customers from product storage. The checkpoint is no longer necessary and they would now like to remove the wall.

QUESTIONS FOR APPLICANT

Mr. Epstein asked if this permit would include consumption. The applicants confirmed there would be no on-site consumption. The request is only to remove a nonloadbearing divider wall.

ADDITIONAL APPLICANT COMMENTS- Ms. Crossley requested that the as-built and lot consolidation requirements be removed. She added that the building is as originally built and should be considered as such.

Mr. Arndt asked if there was any way to control consumption directly outside of or nearby the store. Ms. Crossley said their future plan would be to have an option to provide transportation between the downtown location and the valley location so customers can partake legally.

COMMISSIONER DISCUSSION

Referring to Ms. Crossley's request to remove the as-built and consolidation requirements, Mr. Epstein asked Director Lawhorne if that was something the PC has ability to do. Ms. Lawhorne explained they do not have the ability.

Mr. Pedersen asked if staff has investigated if there are two water services to the building. Ms. Lawhorne said they had not. Mr. Pedersen asked whether this consolidation would be a letter of consolidation or a new subdivision plat. Ms. Lawhorne said a plat would be required.

Ms. Keller clarified the expansion is just to the interior of the building and does not extend the exterior of the building at all. Ms. Lawhorne agreed.

Mr. Brown asked why it was not required in their first permit. Ms. Lawhorne was not sure.

MOTION: *by Mr. Epstein to accept staff's findings, analysis, and recommendations, and approve USE2024 0002.*

The motion passed on Roll Call vote with no objection.

XI. OTHER BUSINESS - None

XII. STAFF REPORTS – Director Lawhorne announced

- the department is beginning migration to the new permit software starting in April
- the department has hired several new employees
- Title 49 plans to have an update to the Assembly Committee of the Whole meeting in April
- Comprehensive Plan will be ready for presentation after the beginning of the fiscal year
- The department will be moving to a new location soon but no decision has been made when it will happen or to where they will move

Mr. Epstein asked if the permit software will be open to PC members. Ms. Lawhorne was not sure but she did say the department is limited by how many licenses they can have for the software.

Ms. Layne gave an update on the Karla Hart appeal. The CBJ has received a proposed decision. If it becomes a final decision, it will go before the assembly for approval. The assembly does have the option to send it back to the PC for further review. Members are still not allowed to discuss the case. If the case comes back before the PC, new members will need to read the files and gain an understanding of the case before they can participate.

XIII. COMMITTEE REPORTS

Mr. Epstein reported PWFC met on Monday and discussed the North Douglas crossing and bus transportation for tourists to the glacier

Mr. Arndt reported the April Title 49 meeting is cancelled

Mr. Bell reported Lands met and discussed Res 3022 adopting Juneau affordable housing funding guidelines.

XIV. LIAISON REPORTS – Paul Kelly reported:

- Lands Committee – received an update on the Pederson Hill development and heard an application to purchase CBJ property near Auke Bay.
- At the Full Assembly meeting on March 4, they authorized the manager to negotiate sale of property near Renninger subdivision
- COW received updates on the warming shelter and Mill Campground. The campground may be moved as there has been damage and complaints.
- City Hall office space discussion is ongoing. They were looking at the Burns Building but may also consider using school space if schools are closed

Mr. Arndt asked for an estimate of when the joint PC/Assembly meeting might happen. Mr. Kelly said he will bring that to the Assembly and will relate to them the importance of the meeting.

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

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS – Mr. Pedersen reminded Commissioners to file their APOC reports. They are due the 15th.

XVII. EXECUTIVE SESSION - None

XVIII. ADJOURNMENT –

Having no other business, the meeting adjourned at 8:00 PM. The next Regular meeting will be held Tuesday, March 26, at 7:00 p.m.

Respectfully submitted by Kathleen Jorgensen Business Assists (907)723-6134 🖊️